



House Journal

FIFTH SPECIAL SESSION, 2008

**Adopted:
January 12, 2009**

First Day

Thursday, May 29, 2008

The House of Representatives of the Sixteenth Northern Marianas Commonwealth Legislature convened its First Day, Fifth Special Session on Thursday, May 29, 2008, at 10:20 a.m. in the House Chamber on Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.

The Honorable Arnold I. Palacios, Speaker of the House, presided.

A moment of silence was observed.

The Clerk called the roll and eighteen members were present two members absent. Representatives Oscar M. Babauta and Rosemond B. Santos were absent and excused.

[Recording stopped.]

ADOPTION OF JOURNALS

4th Day, First Regular Session (2/29/08)

[Floor Leader Camacho made a motion for the adoption of the 4th Day, First Regular Session Journal dated February 29, 2008, and the motion was seconded. There was no discussion.]

Speaker Arnold Palacios: I will allow members who wish to make some changes to submit those changes to the Clerk. Ready?

The motion to adopt 4th Day, First Regular Session Journal was carried by voice vote.

Speaker Arnold Palacios: Floor Leader.

Floor Leader Camacho: Mr. Speaker, motion to adopt 5th Day, First Regular Session Journal.

The motion was seconded.

5th Day, First Regular Session (3/3/08)

Speaker Arnold Palacios: Discussion. Again I will allow for some amendments to the journal with the Clerk. Ready?

There was no discussion and the motion to adopt 5th Day, First Regular Session Journal was carried by voice vote.

INTRODUCTION OF BILLS

Speaker Arnold Palacios: Representative Yumul.

Representative Yumul: In light of the news article that came out a couple of days back, I have an unnumbered House Bill to authorize the Department of Public Health to regulate private ambulance services compliance and response time and for other purposes, introduced by myself. I would like any other member to cosponsor if they are interested. Thank you.

H. B. NO. 16-111: A Bill for an Act to authorize the Department of Public Health to regulate private ambulance services, compliance and response time; and for other purposes.

Offered by: Rep. Ray N. Yumul

Referred to: Committee on Health, Education, and Welfare

Speaker Arnold Palacios: Any more bills for introduction? Representative Benavente.

Representative Benavente: Mr. Speaker, this is the enabling legislation that would allow for the election this November for the Delegate and so I ask that the committee expedite the process of this legislation. Thank you.

H. B. NO. 16-112: A Bill for an Act provide for the election of Delegate to the U.S. House of Representatives, and for other purposes.

Offered by: Rep. Diego T. Benavente

Referred to: Committee on Judiciary and Governmental Operations

H. B. NO. 16-113: A Bill for an Act to name the baseball field in Sinapalo, Rota as the “Joaquin Mesngon Ogo Baseball Field”; for other purposes.

Offered by: Rep. Victor B. Hocog

Representative Hocog: If there is no objection by the members I would like to place this on today’s calendar for consideration.

There was no objection.

Speaker Arnold Palacios: Floor Leader, can you note down that bill so that when we get to the Bill Calendar we see if we can place it on calendar. Thank you.

INTRODUCTION OF RESOLUTIONS

H. R. NO. 16-27: A House Resolution to express sincere appreciation to United States President George W. Bush for expeditiously signing H.R. 5140, the Economic Stimulus Act of 2008, that, in part, resulted in the Commonwealth of the Northern Mariana Islands receiving approximately \$16.1 million for disbursement to the Commonwealth taxpayers.

Offered by: Rep. Raymond D. Palacios and two others

Representative Raymond Palacios: Mr. Speaker, I would like to introduce this as committee as a whole and if there is no objection to place this on today's calendar.

There was no objection.

Speaker Arnold Palacios: So ordered.

H. R. No. 16-28: A House Resolution to recognize Erinelle A. Barcinas for her outstanding participation in the CNMI Teen Talk program in Rota and for her commitment to being a positive role model for her peers.

Offered by: Rep. Justo S. Quitugua and two others

H. R. No. 16-29: A House Resolution to recognize Odilio Cabrera for his outstanding participation in the CNMI Teen Talk program in Rota and for his commitment to being a positive role model for his peers.

Offered by: Rep. Justo S. Quitugua and two others

H. R. No. 16-30: A House Resolution to recognize TJ Atalig for his outstanding participation in the CNMI Teen Talk program in Rota and for his commitment to being a positive role model for his peers.

Offered by: Rep. Justo S. Quitugua and two others

H. R. No. 16-31: A House Resolution to recognize Carlo Manglona for his outstanding participation in the CNMI Teen Talk program in Rota and for his commitment to being a positive role model for her peers.

Offered by: Rep. Justo S. Quitugua and two others

H. R. No. 16-32: A House Resolution to recognize Kurt John Maratita for his outstanding participation in the CNMI Teen Talk program in Rota and for his commitment to being a positive role model for his peers.

Offered by: Rep. Justo S. Quitugua and two others

H. R. No. 16-33: A House Resolution to recognize Shevon Ayuyu for her outstanding participation in the CNMI Teen Talk program in Rota and for her commitment to being a positive role model for her peers.

Offered by: Rep. Justo S. Quitugua and two others

H. R. No. 16-34: A House Resolution to recognize Northwest Airlines' ongoing commitment to the Commonwealth of the Northern Mariana Islands through its addition of a second daily nonstop service to Tokyo's Narita Airport.

Offered by: Rep. Diego T. Benavente and seventeen others

H. R. No. 16-35: A House Resolution congratulating and commending 1st Lt. Adrian Anthony R. Evangelista for being the first resident of Tinian to graduate from the United States Naval Academy in Annapolis, Maryland, in 2005, and for earning the *Wings of Gold* as a helicopter pilot for the United States Marine Corps, in 2008.

Offered by: Rep. Edwin P. Aldan and sixteen others

Representative Quitugua: Mr. Speaker, since H. R. NO. 16-28 thru H. R. NO. 16-33 is needed for the graduation in Rota, I ask that we place them on today's calendar for adoption.

There was no objection.

Speaker Arnold Palacios: Floor Leader, please take note and place these on the Resolution Calendar.

Speaker Arnold Palacios: Representative Aldan.

Representative Aldan: If you do not mind to place H. R. NO. 16-35 on calendar also.

Speaker Arnold Palacios: I do not mind and it is so ordered. Representative Benavente, recognized.

Representative Benavente: I would welcome, Mr. Speaker, anyone else who wishes to sign on the resolution I just introduced, it is with the Clerk. I do not request it be sponsored by the Committee of the Whole as I do not wish to put anyone who is a Continental supporter on the spot here, but I do wish to ask that we place it on today's calendar for adoption.

There was no objection.

Speaker Arnold Palacios: Representative Stanley Torres.

Representative Stanley Torres: Mr. Speaker, I beg that the author of that resolution we put it under Committee of the Whole.

Speaker Arnold Palacios: If there is no objection.

There was no objection.

Speaker Arnold Palacios: Okay, it shall be committee of the whole by order of the Chair.

MESSAGES FROM THE GOVERNOR

GOV. COMM. 16-114: (5/23/08) Certification of vacant positions at the Commonwealth Health Center, Department of Public Health.

GOV. COMM. 16-115: (5/23/08) Certification of vacant positions at the Division of Customs Services, Department of Finance.

GOV. COMM. 16-116: (5/23/08) Informing the House that he signed into law H. L. B. NO. 16-8 (To appropriate \$25,000.00 from local license fees for pachinko slot machines and poker machines in the Second Senatorial District for the transition of students from NMC Tinian campus to the NMC Saipan campus; and for other purposes) into *Tinian Local Law 16-2*.

There was no discussion on this item of the Agenda.

SENATE COMMUNICATIONS

SEN. COMM. 16-37: (5/23/08) Returning H. J. R. No. 16-5, "A House Joint Resolution to disapprove Executive Order No. 08-05, Re-Organization Plan No. 02 of 2008, pertaining to the Commonwealth Development Authority (*sic*) pursuant to Article III, Section 15 of the Constitution of the Northern Mariana Islands; to urge the Governor to remove the members of the CPA Board of Directors for cause and to appoint new members to the board to carry out the action plan implemented by the CPA Acting Executive Director of May 14, 2008," which was adopted by the Senate with amendment on May 23, 2008. [For action on Senate amendment]

SEN. COMM. 16-38: (5/23/08) Returning H. B. No. 16-11, HS1 (Divers Safety First Act of 2008) which was passed by the Senate without amendment on May 23, 2008. [Will go to Governor]

Speaker Arnold Palacios: Floor Leader.

Floor Leader: Mr. Speaker, pursuant to the House Rules, I believe you can move the House Joint Resolution 16-5, as amended by the Senate to the Resolution Calendar. Is that my understanding?

Speaker Arnold Palacios: Okay, take note on that.

Floor Leader Camacho: Thank you, Mr. Speaker, with reference to SEN. COMM. 16-37 returning H. J. R. NO. 16-5 motion to accept.

The motion was seconded.

Speaker Arnold Palacios: Discussion on the motion. Ready.

The motion to accept SEN. COMM. 16-37 with reference to H. J. R. NO. 16-5, SD1 was carried by voice vote.

Speaker Arnold Palacios: H. J. R. NO. 16-5 will be placed on the Resolution Calendar for today's session. Representative Sablan, recognized.

Representative Sablan: I just happened to notice in the communication that we received from the Senate on H. J. R. NO. 16-5, that the error naming the Commonwealth Development Authority is still there. Did we transmit the correct resolution?

Speaker Arnold Palacios: Yes, we did it, it is just a clerical error. Please note on the third line under Senate Communication 16-37 should read Commonwealth Ports Authority. Representative Hocog.

Representative Hocog: I guess, Mr. Speaker we have made this correction when I introduced it. The wordings that was supposedly to Commonwealth Ports Authority instead of Commonwealth Development Authority and I did made that correction when I introduced the resolution.

Speaker Arnold Palacios: I guess it is just a clerical error. Ready. Representative Stanley Torres.

Representative Stanley Torres: If Representative Sablan is yielding then I would like to bring up something that is not on the calendar, Mr. Speaker. This is regarding my request of the Open Government Act letter addressed to the Attorney General since March 28th. I faxed it to him on March 28th and hand delivered it on April 10th. *Esta nu over two months ya* he is not making any move to respond whatsoever. I do not know if I should take him to court again to pry that request. I was only requesting for a number of nonresident employees at PTI on their nationality and job categories and nothing else. I do not know if he labeled that as confidentiality but its just by nationality and job categories, that is all, in order for me to go further on PTI hiring practices. Is there any suggestions from the members?

Speaker Arnold Palacios: Representative Benavente.

Representative Benavente: Mr. Speaker, I remember that there is clearly a statute that requires agencies and government representative, individuals working for the government that is required under law to provide information as requested by members of the legislature, committees, and the presiding officers, and the only problem with that statute is that it does not have a penalty provision and I have continued to ask and maybe for someone who is as frustrated as Representative Torres, we should revisit that statute provide a penalty provision so that these individuals will respond to letters and requests.

Speaker Arnold Palacios: Thank you for that suggestion. Representative Hofschneider.

Representative Hofschneider: Maybe I got the message wrong. The Open Government Act that Representative Torres is seeking through the AG is on a private company.

Speaker Arnold Palacios: Representative Stanley Torres.

Representative Stanley Torres: No its actually the information is at the LIIDS with Labor and Immigration whatever they called that before and LIIDS is directly under the Attorney General.

Representative Hofschneider: Alright, thank you.

Speaker Arnold Palacios: Representative Sablan.

Representative Sablan: Thank you Mr. Speaker. If the information is available on the LIIDS database then the Department of Labor was supposed to file with the House Clerk the print out from their database along with their annual report, which they submitted pursuant to the requirements under the new labor Public Law 15-108. And I did inquire with the House Clerk because I noticed, if the members had read the annual report that the attachment at the end was completely blank and I checked with the House Clerk and they had not submitted that database print out. So I think it is just a matter of asking Labor because they were supposed to register it with the House Clerk, to actually do so as they had indicated in their report.

Speaker Arnold Palacios: Thank you. One of the issues that Representative Torres had brought up is that LIIDS in under Immigration Division and under the Attorney General's Office, so I guess that is why he directed the inquiry to the Attorney General. But let me move on with this and perhaps

Representative Torres and I can sit down and we can draft a letter reminding the Attorney General of his obligation to submit this information to the Legislature as requested. Representative Sablan.

Representative Sablan: Just on another note that all government officials are required under the Open Government Act to respond within ten days even if just to say that they cannot release this information, so if the Attorney General has not responded to an official Open Government Act request that should be a violation and there should be penalties associated with that.

Speaker Arnold Palacios: We will send a letter to the Attorney General regarding this. Representative Stanley Torres.

Representative Stanley Torres: Actually it is not an Open Government Act request. It is just a letter requesting the information that I need. Prior to writing to the Attorney General I inquired it through Labor and they responded that it is no longer in their jurisdiction and that I should write a letter to the Attorney General. I guess since my letter does not call for the Open Government Act provision that he deliberately ignored my request that is it.

Speaker Arnold Palacios: Okay, we will take care of that issue immediately after the session.

HOUSE COMMUNICATIONS

HSE. COMM. 16-49: (5/23/08) From Representative Sablan regarding recommendations for formalizing PUC confirmation hearing process.

Speaker Arnold Palacios: Representative Yumul.

Representative Yumul: I have one memo that I am providing to all the members this is in regards to Public Law 13-17 and the list of payees from that public law. You can ask the House Clerk the communication number so that the members can just hand write their copies.

Speaker Arnold Palacios: The communication that was just handed out is now House Communication 16-50.

HSE. COMM. 16-50: (5/29/08) From Representative Yumul providing a list of DPL's land compensation that has been paid under PL 13-17.

Speaker Arnold Palacios: Continue, Representative Yumul.

Representative Yumul: Also I will be forwarding out to the members at a later time the list of pending claimants that have not yet been paid just so that we are all in the same page with regards to where we are at with compensation with regards to land. Thank you.

Speaker Arnold Palacios: Thank you. Representative Salas.

Representative Salas: Representative Yumul, "date certified" means it is paid. Is that what it means?

Speaker Arnold Palacios: Representative Yumul.

Representative Yumul: No I believe that the “date certified” is the date of taking by the government.

Speaker Arnold Palacios: Representative Salas.

Representative Salas: So, we do not really know if they have been paid?

Speaker Arnold Palacios: Let us get back, the date certified means that the Department of Public Works or the government agency certifies that the government needs to have that piece of property. That is the certification process, the payment is different. Are there any more under House Communications? Representative Hocog.

Representative Hocog: Mr. Speaker, I find it very disheartening to have heard words from the Executive Director of CUC again more or less blaming the Legislature of increasing the rate for utility as a result of the passage of Public Law 16-2. And that leads me again, Mr. Speaker, to advise the Speaker and the members that I will be calling again, one more time, the Executive Director hopefully next week to ensure that the Legislature is not responsible for the utility rate hike merely by the legislation that became Public Law 16-2. The legislators anticipated that public law supposedly to assist CUC with its fuel costs and that the general public particularly residential clients will benefit from such public law. In our meeting two weeks ago, the Executive Director had assured the committee and other members of the House that he will come up with his summary question being raised by the members of the committee and other members of the House as to how he derived with the anticipated increase to 35 and he has not submitted that yet to your standing committee. And it is rumored that the Executive Director is blaming the Legislature for the increase of the utility rate. So I just want to make this a point, Mr. Speaker. At that time, I believe, my Floor Leader that with this invitation forthcoming to bring in the Executive Director of CUC and that we will place him under oath. Thank you.

Speaker Arnold Palacios: Someone had advised me that he had made a statement also last night regarding this issue and I do not know how accurate it is, but the interview will be aired again on Saturday, at 10 am, so we may have that opportunity. Representative Hofschneider.

Representative Hofschneider: Thank you. I think, Mr. Speaker and members, it does not matter whether Tony Muna stands in middle of the public square here in the CNMI or in Saipan or in Rota and Tinian. For all I care, he could stand on the highest mountain and yell and blame the Legislature. At the end of the day he has to deliver what is required of him under the Commonwealth Utilities Corporation’s enabling law and that is to deliver reliable, consistent and affordable power. And whether he continues to play politics and hide behind the truth of the matter what we need in this community is cooperation, honesty. We need to project to the people transparency for once in our purpose here. If the cost of fuel is beyond our control then at a minimum Mr. Muna owes to the people an explanation what it cost to buy a gallon of fuel to run our power plant and how much it is costing them to maintain the number of people they have on payroll and every expense that they have. That is what we are looking for. By the way, if you hold up your hands you have ten individual opportunities to point fingers in different directions and blame. It is a lot more difficult to hold and clasp your hand and say the truth without having to erect one finger and point it in the opposite direction rather than

looking at ourselves and saying how can we help the people here. It is not a matter of who is going to get the trophy this week. It is ridiculous, Public Law 16-2 is only good for six months. After July I do not think he has anymore fingers left to point at which direction because he will be pressed for a solution. We are not going to react hastily by limiting him under Public Law 16-2 to full cost recover and give the people the right to reliable utilities and I think the more that we react hastily or knee jerk reaction the more he becomes relevant and that is not what we want. The Olympics is in China not here. So if you are in the business of running for a gold medal it will be August 8, 2008, in China, not in CUC or in Saipan or in the CNMI. Thank you, Mr. Chairman and Mr. Speaker.

Speaker Arnold Palacios: Representative Hocog.

Representative Hocog: While I acknowledge the message of our good colleague Congressman Hofschneider, but what I see, Mr. Speaker, and I find it very disturbing is that we are not playing here, who is who. The fact of the matter is that the committee invited the Executive Director with sincere intentions to work together. I find it very disturbing that the committee handled themselves amicably with the Executive Director. We have discussed issues that we thought we have reached a discussion of working together between his office and this body and it is for that reason that the committee is mindful about his plans to provide this fuel credit rather than bombarding him with coming up with a real price per kilowatt. We urge him to work with us and he committed that he will work with the committee and the members and he will provide us with the true picture of what the cost of utility, maybe real for the days ahead of the rate. As a matter of fact, he went on mentioning that the fuel credit will range between thirty to fifty cents fuel credit and it is for that that we urge the Executive Director to provide us with his computation and what will be the real fuel credit to the residential consumers. Other than that, I feel that we have, honestly, we give him fair discussion and we heard him without any animosity created between him and other members and that we believe that what he informed the members that he will come up with a more concrete charges. It is just disappointing to hear that on the other side is blaming the Legislature that gave him the courtesy and cordial discussion and that is all I am reporting. I will like to again, Mr. Speaker, evoke that I will call back the Executive Director and as I mention I failed to believe members that I will put him during that time under oath as I felt that the Executive Director can work with the committee without going to the... *(End of tape 1 side A)* ... *(Start of tape 1 side B)* ...know he's got ten more fingers to count and maybe if he finish his ten fingers he will go down to his feet and count his toes. So if he finishes that I do not know what else he is going to use to count. Thank you.

Speaker Arnold Palacios: Thank you. Representative Reyes.

Representative Reyes: Thank you Mr. Speaker. I applaud the effort of the Chairman of PUTC for trying to get the Executive Director here in the House again so we can probably ask him. Mr. Speaker, I would like to ask the Chairman to please. You know, the people are still in the dark out there as to they really do not know what is going on and what is going to happen and I think the people deserve to know what this body and especially the Chairman of the committee is going through. If we can come up with something and tell the people something concrete. There is still a massive of confusion out in the public, so I appreciate the Chairman's effort and I applaud him for doing such a good job. Thank you.

Speaker Arnold Palacios: Thank you. Representative Sablan.

Representative Sablan: Thank you Mr. Speaker. I think that it is irrelevant who is blaming who. What is true is that the Legislature suspended section 2 of Public Law 15-94 and allowed CUC to go back to a rate structure that is adjustable depending on the cost of fuel. Now what has not happened I think what CUC has failed to do thus far which we are obviously still struggling to understand is to justify the cost of generating power and the actual cost of fuel. I look forward to the Executive Director's written response to the concerns that we raised at the briefing last week or was it the week before. One thing that I think we can expect from this report is a request to also suspend section 3 of Public Law 15-94, so if the members recall a question that was raised about whether or not it is even legal for CUC to raise the rates in the middle of the billing cycle and section 3 says that they cannot. And so we can expect CUC to come back to us and ask us to suspend that part of the law and I would strongly urge the members not to sanction that. I think when we go down that road then there really will be no way for customers to understand how their bills were calculated and I think that would be extremely unfair to consumers. Thank you.

Speaker Arnold Palacios: Are you saying and that what they have basically done is illegal?

Representative Sablan: Yes.

Speaker Arnold Palacios: But he is blaming the Legislature and that is what Representative Hocog the Chairman of PUTC is saying that we need to clarify the issues.

Representative Sablan: He can raise the rates but he has to justify it and he can also only raise at the beginning of the billing cycle and that is the issue that has not yet been addressed.

Speaker Arnold Palacios: Correct, and those are the issues that need to be brought back again with the Executive Director. Are there any more comments on this particular issue? Representative Hocog.

Representative Hocog: Just to let the members know that on the concern that Representative Sablan raised, I have asked the House legal counsel to provide an opinion as to those questions that were asked during that meeting with the Executive Director and I am proud to say, Mr. Speaker, that I do have the legal opinion from our legal counsel. I just got it now and I will ask the Sgt at Arms to make a copy and provide everyone with the interpretation of those questions asked. Thank you.

Speaker Arnold Palacios: Thank you. Shall we move on?

COMMUNICATIONS FROM THE JUDICIAL BRANCH

JUD. BR. COMM. 16-4: (5/22/08) Retirement of Associate Judge Juan T. Lizama, Superior Court.

There was no discussion under this item of the Agenda.

COMMUNICATIONS FROM THE RESIDENT REPRESENTATIVE

NONE

COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

NONE

OTHER COMMUNICATIONS

NONE

REPORTS OF STANDING COMMITTEES

Speaker Arnold Palacios: Floor Leader, recognized.

Floor Leader Camacho: Thank you, Mr. Speaker, motion to adopt S. C. R. NO. 16-14 reporting on H. B. NO.16-57.

S. C. R. No. 16-14: Reporting on H. B. NO. 16-57 entitled, “To provide the Mayor of the Northern Islands with the authority to issue landing permits for the islands north of Saipan; and for other purposes.” *Your Committee on Natural Resources recommends passage of the bill with amendments.*

The motion was seconded; and, there being no discussion, the motion to adopt S. C. R. NO. 16-14 was carried by voice vote.

Speaker Arnold Palacios: Floor Leader.

Floor Leader Camacho: Thank you, Mr. Speaker, motion to adopt S. C. R. NO. 16-15 reporting on H. B. NO. 16-14.

The motion was seconded.

S. C. R. No. 16-15: Reporting on H. B. No. 16-14, entitled, “To regulate the Land Exchange Program; and for other purposes.” *Your Committee on Natural Resources recommends passage of the bill.*

Speaker Arnold Palacios: Discussion. Representative Sablan.

Representative Sablan: Thank you, Mr. Speaker. In reviewing that particular report, I noticed that the report does not explain why there was a sunset clause inserted into the law to begin with in the land exchange program and I would like to ask that it be inserted in the report before we adopt it since we are looking to reinstate that particular provision that is referenced in the bill.

Speaker Arnold Palacios: Representative Hofschneider.

Representative Hofschneider: I think that if you take the enabling law that created the land exchange program dating all the way back. I have looked at this in previous Legislatures, Mr. Speaker and members, and there was really only one reason provided and that was to allow, for the first time, in the initiation of the land exchange program people to make a decision on how they want to be compensated and where. The military land lease on Tinian was a very good example of people who were given the opportunity either decide to be compensated is cash or for land taking in Saipan. In Tinian, as a result of the military land lease, a lot of them have taken that opportunity back then. And for that reason MPLC, which is the corporation in existence under the constitution thought it was important to provide a sunset provision where the land exchange program naturally dies at “X” number of years. The

subsequent languages which allows a new period for land exchange to occur between senatorial districts is prompted not out of Commonwealth interest but because of political considerations and that has in fact been enumerated in the 1994 Inspector General report whereby, MPLC then have lost a significant income as a result of this open enrollment for inter island land exchange by way of speculative prices and inexplicable land ratio exchanges that has transpired over the years. So there is really no logic as to why that particular sunset provision is in place other than the initial period where logically people who have been taken or land taking that has happened as a result of the military land lease on Tinian were given that opportunity to make that decision. Other than that, it was just really a political consideration to allow inter island land exchange to exist. Thank you.

Speaker Arnold Palacios: Are there any further discussion? Representative Sablan.

Representative Sablan: Then if the idea is in reinstating the restriction on inter island land exchanges is to prevent further loss of income. Is that the intent for the Department of Public Lands?

Speaker Arnold Palacios: That is the intent.

Representative Sablan: Then I find it conflicting in this statement in the committee report on page 2 in the analysis, subsection (b) on the second paragraph, S. C. R. NO. 16-15, committee also finds that has land resources are dwindling that resident of each municipality should be assured that the government is capable of entering into land exchanges. If land resources are dwindling on one island and the committee finds that residents should be assured that the government is able to enter into land exchanges then it seems to me opening up inter island land exchange would make sense, but there seems to be the conflict in the committee finding, unless I am reading this wrong.

Speaker Arnold Palacios: Representative Hofschneider, do you want to explain?

Representative Hofschneider: It may appear as conflicting, but in essence it is not really because what it wants to do to attempt in this language. And by the way I am not a member of the committee Mr. Speaker. But logically if you follow the logic behind the legislation and the committee report what it wants to do is restrict and confine each senatorial concern when it comes to land exchange or deprivation or land taking. So any land taking on Rota should be confined to land exchange program in Rota. Any land exchange that happens as a result of land taking here on Saipan should be confined to Saipan. The rationale behind this is that the appraise value that is the honey of it all. In a developing jurisdiction like Saipan you have the impetus to exchange into Saipan for a land that is probably ten dollars worth in Rota or in Tinian whereby you want to exchange into Saipan. Now logically what Representative Sablan is trying to say as a conflict is if the total land availability is dwindling in Saipan would it not make sense to now open the other way and say land exchange for those concerns in Saipan should be allowed to exchange into Rota and Tinian because they have the land mass or more available public land to be used as land exchange. The logic is that is does not work that way. Economics dictate where the people should be looking forward to land exchange and that is logically here. And when you have something like twenty-to-one land exchange ratio that happened in 1994 right at the middle cross section of San Jose or that Triple J, lot twenty-to-one ratio, what do you do. And then you land exchanges that happened right across the base ball field that occurred intra island. So if you really want to do a very thorough land exchange program, I advise that we take the 1994 IG report and have a most recent audit of land exchanges and available land resources in the Commonwealth and look at

formulating a permanent policy because we cannot afford to continue this on this approach where public land is \$30.00 and private to be exchange is \$400.00 or a \$1,000.00 a square meter. It just does not make sense.

Speaker Arnold Palacios: Representative Benavente.

Representative Benavente: Thank you Mr. Speaker. I am a member of the Committee on Natural Resources and I just want to state for the record that I would agree with Representative Hofschneider. I think the most important thing. And I understand Representative Tina Sablan and I do not wish to discuss the bill because that would come in the Bill Calendar. I think that given that the Chairman and the committee provided the previous committee report and the actions taken before this Legislature really including and not including certain languages in this committee report is a minor concern versus what we are trying to do in the legislation, and that is the reason why the change was made. We did have some problems as pointed out by Representative Hofschneider when we were allowing the inter island exchanges and changes were made to stop it. It was just that instead of permanently implementing a statute they provided a sunset clause and we do not wish to go back the term “You don’t fix what ain’t broke”. That kind of thing is what it making us necessary right now for us to act on this legislation so that it does not go back to the problems we faced in the past. Thank you.

Speaker Arnold Palacios: Thank you. Representative Sablan.

Representative Sablan: I understand the interest in restricting inter island land exchanges. I actually agree with that, but what I am saying about before we adopt this committee report is that it is not clear and it is not about going back because it looks like this provision expired in 1997. So, this is in fact the current situation where inter island land exchanges are still legal. Is that right. And they have been legal for last eleven years. What I would like just for the purposes of explaining the legislative intent in the committee report is just to clarify that, what the public interest is in restricting inter island land exchange. Also besides the second paragraph that I noticed on page 2, on page 3, there is an incomplete sentence describing the legislative history of the bill, number 2, “no action was taken by the Senate although a standing committee report...” I have no idea where that sentence is going because it was never finished. So I would just suggest that those two issues be addressed in this committee report before we adopt it.

Speaker Arnold Palacios: I am going to call for a short recess.

The House recessed at 10:30 a.m.

RECESS

The House reconvened at 10:31 a.m.

Speaker Arnold Palacios: We are back in session. Chairman Tebuteb.

Representative Tebuteb: Thank you, Mr. Speaker. The committee certainly appreciates the comments made by Representative Sablan and, sure, if she is willing to submit the political consideration into the

findings of the committee as well as the appraised value protection, the committee will welcome that. On the last comment on number 2 page 3 for action taken by the Senate although a Standing Committee...is provided attached with the committee report. Thank you.

Speaker Arnold Palacios: Representative Sablan.

Representative Sablan: Thank you. I would be happy to assist the committee with inserting that language to elaborate on the intention behind this bill. I am not a member of the committee and the reason I asked the question is because I did not know the history of that provision and it was not in the report, which is why I asked. But even in the previous report it does not explain what the interest was in restricting inter island exchange, even in the older committee report and it does not explain why there was a sunset, and so I just wanted to know that before we vote.

Speaker Arnold Palacios: Representative Hofschneider explained the issue why there was a restriction and there was a sunset provision but eventually that sunset provision was in placed for political consideration way back in the legislation to restrict that. It was a political consideration and that sunset the date. And ten years ago. I remember that even in the 13th Legislature, which was seven years ago we attempted to rectify this again it died in the Senate and I even remember a subsequent legislation in the 14th Legislature. A very similar legislation in the 14th Legislature to try to rectify this problem. Again, it did not make it out of the Senate and the author continues to believe that the Legislature should continue this effort because it was pointed that for lands in one senatorial district that cost less being exchanged in another senatorial district the size maybe the same value was very different. And so as pointed out by Representative Hofschneider the IG's report reflected that the public lands corporation was, in terms of value, as losing public lands in terms of value because of unregulated generous land exchange, between senatorial districts and that was the issues, and continues to be the driving issue I believe. And I understand where you are coming from but we are on record and that has been explained. Let us just try because that has been clarified. I think we should just move on and see if we can adopt and then go into the bill itself okay. Ready? Let me clarify we will be adopting the Committee Report. Representative Sablan.

Representative Sablan: Can I just clarify on page 3, are we completing that sentence then and making that amendment? Is that considered a technical amendment that Chairman Tebuteb offered? Just to finish the sentence on page 3. Chairman Tebuteb said that it should read "no action was taken by the Senate although a Standing Committee Report was provided".

Speaker Arnold Palacios: It should read Senate Standing Committee Report 14-4. Okay. Ready.

The motion to adopt SCR 16-15 was carried by voice vote.

Speaker Arnold Palacios: Floor Leader.

Floor Leader Camacho: Thank you, Mr. Speaker, motion to adopt S. C. R. No. 16-16 referencing H. B. No. 16-67.

The motion was seconded.

S. C. R. No. 16-16: REPORTING ON H. B. NO. 16-67, "TO AMEND 8 CMC § 1202(A); AND FOR OTHER PURPOSES." *YOUR COMMITTEE ON JUDICIARY AND GOVERNMENTAL OPERATIONS RECOMMENDS THAT THE HOUSE FILE THE BILL.*

Speaker Arnold Palacios: Discussion. Representative Benavente.

Representative Benavente: Just to clarify, Mr. Speaker, that because of the recommendation by the committee is to file then by adopting this committee report we are basically filing the House Bill 16-67? Thank you.

Speaker Arnold Palacios: That is correct. Representative Quitugua.

Representative Quitugua: Mr. Speaker, I have no problem filing the bill, but just for the record, this bill was requested by Mayor Tudela because he spends so much time doing these activities. Also during the Ways and Means Committee budget hearing, the Chairman asked him to recommend any revenue generating legislation to the committee and this is one of the recommendations that the Mayor reiterated to the Ways and Means Committee. Thank you.

Speaker Arnold Palacios: Thank you. Ready. Representative Hofschneider.

Representative Hofschneider: Not that I am interested in performing marriage. Why is the bill being filed because we acted on the other bill, Public Law 16-2.---

Speaker Arnold Palacios: Okay ready.

There was no further discussion, and the motion to adopt S. C. R. No. 16-16 was carried by voice vote.

Speaker Arnold Palacios: Floor Leader.

Floor Leader Camacho: Thank you again, Mr. Speaker, motion to adopt S. C. R. No. 16-17 referencing S. B. No. 16-19, SD1.

The motion was seconded.

S. C. R. No. 16-17: REPORTING ON S. B. NO. 16-19, SD1, ENTITLED, "TO AMEND PL 15-2 TO CODIFY ITS PROVISIONS AS A NEW CHAPTER 14 OF PART 1, DIVISION 2, TITLE 1 OF THE COMMONWEALTH CODE AND TO GIVE MAYORS OF EACH MUNICIPALITY, SAIPAN, ROTA, TINIAN AND AGUIGUAN, AND THE NORTHERN ISLANDS AN OPPORTUNITY TO AFFECT THE DISPOSITION OF PUBLIC LANDS IN THEIR RESPECTIVE MUNICIPALITY; AND FOR OTHER PURPOSES." *YOUR COMMITTEE ON NATURAL RESOURCES RECOMMENDS PASSAGE OF THE BILL.*

Speaker Arnold Palacios: Discussion. Representative Hofschneider.

Representative Hofschneider: Thank you, Mr. Speaker and members. I just want to go on record that the fundamental policy provided in the constitution on land management and disposition of public lands

is still in tact and several opinions has in fact uphold that view. The previous administration also have supported that notion through one legal opinion or another that the fundamental policy is still in tact. So with this proposed legislation by the Senate I guess it does not add or take away anything but perhaps just another layer of senatorial participation when it comes to land use plan for each senatorial district and with that I think that there is no harm or foul because the constitution would always prevail over the function of disposition of public lands. With that, Mr. Speaker, I am rest assured that it is good to be working with the respective Mayor of each islands when it comes to land use, particularly zoning is an issue. Thank you.

Speaker Arnold Palacios: Thank you. Ready. Representative Yumul.

Representative Yumul: Thank you, Mr. Speaker, just to touch on Representative Hofschneider's comments on zoning since the island of Saipan does have a Zoning Board I am curious why the committee report did not indicate whether there is going to be potential conflicts with the Saipan Zoning Board especially if we have the Mayor of Saipan for example Public Land trying to dispose of public land and then where does the Zoning Board fit in on this they may be inadvertently shoved to the side and therefore conflict may arise.

Speaker Arnold Palacios: Do you want to answer that Representative Hofschneider?

Representative Hofschneider: I think if you read the bill, it plainly states that it gives for the first time an official recognition to each mayoral capacity of senatorial district. For the first time when it comes to land use the Mayor is given twenty days to submit and therefore then act consistent with the views of the Mayor but they were very careful in crafting an insistence that the Mayor's recommendation shall because of the constitutional issue that I have raised earlier so there is twenty days provision in which the Mayor's recommendation submitted maybe taken into consideration but it does not mean that there is going to be a conflict.

Speaker Arnold Palacios: He is referring to page 2, lines 5 to 9. I think it fairly clarifies that. It does give that flexibility and at the same time give courtesy to the mayors of each senatorial district. Representative Yumul, are you going to wrap it up.

[Tape was cut off and some discussions were not recorded.]

Speaker Arnold Palacios: Representative Sablan, is everything good.

Representative Sablan: I just wanted to point out the technical amendments that we were discussing during recess, just some misspelling that I have noticed. On page two to correct the spelling in the first paragraph of "municipality" and on page three to correct the spelling for "Representative", I think that might be it.

Speaker Arnold Palacios: Clerk could you please take note of those technical corrections. Ready. The motion is to adopt S. C. R. No. 16-17

There being no further discussion, the motion to adopt S. C. R. NO. 16-17 was carried by voice vote.

REPORTS OF SPECIAL AND CONFERENCE COMMITTEES

None

UNFINISHED BUSINESS

None

RESOLUTION CALENDAR

Speaker Arnold Palacios: Floor Leader.

Floor Leader: Mr. Speaker, I think we are down to Resolution Calendar.

Speaker Arnold Palacios: Before we move on, Representative Yumul.

Representative Yumul: Thank you. If there is no objection can we go back to House Communication, I want to add an attachment to House Communication 16-15 and just make a notation to the members. If I may.

Speaker Arnold Palacios: Yes.

Representative Yumul: Thank you. On HSE. COMM. 16-15, the list that was handed out to you was as of 2006, the one that I am handing out now is as of April 23, 2008, but there is a slight difference, on House Communication 16-15, if you were to compare the two hand outs, the new hand outs omits Rota and Tinian for some reason and starting on line 80 and 81, respectively, the information changes. In particular on the last page of the new hand out on line number 117 Steven Rasa and below are new add on, so I would like to ask the Chairman on Natural Resources to clarify this with The Department of Public Land because there are new names to this list. Thank you.

Speaker Arnold Palacios: Okay. (*End of tape 1 side B*)... (*Start of tape 2 side A*)...Its pressing that it is omitted has a House Communication or a report from the Ways and Means. Representative Yumul.

Representative Yumul: The reason why I put this out, Mr. Speaker, is because I was just informed by one of our good colleagues that we may have inadvertently introduced legislation to make compensation on claims that have already been paid. So it is good information for the members to know who has been paid and what amounts. So that if these claimants come back thinking that they were not compensated when in fact they were. Just for information.

Speaker Arnold Palacios: Thank you. Alright, Representative Reyes.

Representative Reyes: Yes, Mr. Speaker, just one question to Chairman Yumul, the listing that you submitted this is in Public Lands or Public Works?

Speaker Arnold Palacios: Representative Yumul.

Representative Yumul: Public Lands.

Representative Reyes: Thank you and---

Speaker Arnold Palacios: Can we hold off discussion on this communications and perhaps those clarification could be done between---(Power Outage)

Due to power outage, the Chair declared the House recessed at 11:38 a.m.

RECESS

The House reconvened at 2:38 p.m.

Speaker Arnold Palacios: We are back to our session. Floor Leader when we left off we were under Resolution Calendar and I would entertain a motion to adopt the resolutions. One other member asked that who would be here in five minutes. Representative Hocog.

Representative Hocog: Mr. Speaker, I just found out the legislation that I forgot to introduce so before we entertain the resolutions can we move back, if there is no objection from the members.

There was no objection.

INTRODUCTION OF BILLS

Speaker Arnold Palacios: We are back to Item Number 3, Introduction of bills. Representative Hocog.

Representative Hocog: Mr. Speaker, this is not going to be requested to be on first and final so I have an unnumbered House Bill. Thank you.

H. B. No. 16-114: A Bill for an Act to provide equitable relief to borrowers from CDA; and for other purposes.

Offered by: Rep. Victor B. Hocog

Referred to: Committee on Ways and Means

Speaker Arnold Palacios: Thank you. We move back to Resolution Calendar.

RESOLUTION CALENDAR

Speaker Arnold Palacios: I now recognize the Floor Leader.

Floor Leader Camacho: Mr. Speaker, a motion to adopt H. R. NO. 16-28; H. R. NO. 16-29; H. R. NO. 16-30; H. R. NO. 16-31; H. R. NO. 16-32; H. R. NO. 16-33 in referencing to those members in Teen Talk in Rota.

The motion was seconded.

H. R. No. 16-28: A HOUSE RESOLUTION TO RECOGNIZE ERINELLE A. BARCINAS FOR HER OUTSTANDING PARTICIPATION IN THE CNMI TEEN TALK PROGRAM IN ROTA AND FOR HER COMMITMENT TO BEING A POSITIVE ROLE MODEL FOR HER PEERS.

H. R. No. 16-29: A HOUSE RESOLUTION TO RECOGNIZE ODILIO CABRERA FOR HIS OUTSTANDING PARTICIPATION IN THE CNMI TEEN TALK PROGRAM IN ROTA AND FOR HIS COMMITMENT TO BEING A POSITIVE ROLE MODEL FOR HIS PEERS.

H. R. No. 16-30: A HOUSE RESOLUTION TO RECOGNIZE TJ ATALIG FOR HIS OUTSTANDING PARTICIPATION IN THE CNMI TEEN TALK PROGRAM IN ROTA AND FOR HIS COMMITMENT TO BEING A POSITIVE ROLE MODEL FOR HIS PEERS.

H. R. No. 16-31: A HOUSE RESOLUTION TO RECOGNIZE CARLO MANGLONA FOR HIS OUTSTANDING PARTICIPATION IN THE CNMI TEEN TALK PROGRAM IN ROTA AND FOR HIS COMMITMENT TO BEING A POSITIVE ROLE MODEL FOR HER PEERS.

H. R. No. 16-32: A HOUSE RESOLUTION TO RECOGNIZE KURT JOHN MARATITA FOR HIS OUTSTANDING PARTICIPATION IN THE CNMI TEEN TALK PROGRAM IN ROTA AND FOR HIS COMMITMENT TO BEING A POSITIVE ROLE MODEL FOR HIS PEERS.

H. R. No. 16-33: A HOUSE RESOLUTION TO RECOGNIZE SHEVON AYUYU FOR HER OUTSTANDING PARTICIPATION IN THE CNMI TEEN TALK PROGRAM IN ROTA AND FOR HER COMMITMENT TO BEING A POSITIVE ROLE MODEL FOR HER PEERS.

There was no discussion and the motion to H. R. No. 16-28; H. R. No. 16-29; H. R. No. 16-30; H. R. No. 16-31; H. R. No. 16-32; H. R. No. 16-33 was carried by voice vote.

Speaker Arnold Palacios: Floor Leader.

Floor Leader Camacho: Thank you, Mr. Speaker, motion to adopt H. R. NO.16-34 reference to Northwest Airlines.

H. R. No. 16-34: A HOUSE RESOLUTION TO RECOGNIZE NORTHWEST AIRLINES' ONGOING COMMITMENT TO THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS THROUGH ITS ADDITION OF A SECOND DAILY NONSTOP SERVICE TO TOKYO'S NARITA AIRPORT.

The motion was seconded.

Speaker Arnold Palacios: Discussion. Ready. This resolution is introduced by the Committee of the Whole.

There was no discussion; the motion to adopt H. R. NO. 16-34 was carried by voice vote.

Speaker Arnold Palacios: Floor Leader.

Floor Leader Camacho: Thank you, Mr. Speaker, motion to adopt H. R. NO. 16-35 in reference to the graduation from Annapolis.

The motion was seconded.

H. R. No. 16-35: A HOUSE RESOLUTION CONGRATULATING AND COMMENDING 1ST LT. ADRIAN ANTHONY R. EVANGELISTA FOR BEING THE FIRST RESIDENT OF TINIAN TO GRADUATE FROM THE UNITED STATES NAVAL ACADEMY IN ANNAPOLIS, MARYLAND, IN 2005, AND FOR EARNING THE *WINGS OF GOLD* AS A HELICOPTER PILOT FOR THE UNITED STATES MARINE CORPS, IN 2008.

Speaker Arnold Palacios: Discussion. Representative Salas.

Representative Salas: Mr. Speaker, just reviewing this there is in the third paragraph I believe they need to strike the word “Adrian” right after “the Northern Mariana Islands” and then I believe in the back page the fourth paragraph just add “s” example to our “youths”.

Speaker Arnold Palacios: We will allow those changes. Representative Quitugua.

Representative Quitugua: Thank you, Mr. Speaker, just a reminder, the Rules require that any bill or resolution is put in proper format so probably next time we use the line numbering.

Speaker Arnold Palacios: I will enforce that rule next time. Representative Aldan.

Representative Aldan: Mr. Speaker, it was done in our delegation and that format was not in there, so I apologize.

Speaker Arnold Palacios: Okay, so noted but please take note next time. Ready.

The motion to adopt H. R. NO. 16-35 was adopted by voice vote.

Speaker Arnold Palacios: Floor Leader.

Floor Leader Camacho: Mr. Speaker, motion to adopt H. J. R. 16-5, SD1 in reference to the Executive Order on CPA.

The motion was seconded.

H. J. R. No. 16-5, SD1 A HOUSE JOINT RESOLUTION TO DISAPPROVE EXECUTIVE ORDER NO. 08-05, RE-ORGANIZATION PLAN NO. 02 OF 2008, PERTAINING TO THE COMMONWEALTH PORTS AUTHORITY PURSUANT TO ARTICLE III, SECTION 15 OF THE CONSTITUTION OF THE NORTHERN MARIANA ISLANDS; TO URGE THE GOVERNOR TO REMOVE THE MEMBERS OF THE CPA BOARD OF DIRECTORS FOR CAUSE AND TO APPOINT NEW MEMBERS TO THE BOARD TO CARRY OUT THE ACTION PLAN IMPLEMENTED BY THE CPA ACTING EXECUTIVE DIRECTOR ON MAY 14, 2008.

Speaker Arnold Palacios: Discussion. Ready. State your point Representative Benavente.

Representative Benavente: Mr. Speaker, once again this resolution requires majority of the members voting. This is to reject the executive order, so it will require roll call.

Speaker Arnold Palacios: Thank you. Clerk, please call the roll.

The Clerk called the roll on the motion to adopt H. J. R. NO. 16-5, SD1:

Representative Edwin P. Aldan	yes
Representative David M. Apatang	yes
Representative Oscar M. Babauta	absent (excused)
Representative Diego T. Benavente	yes
Representative Joseph N. Camacho	yes
Representative Francisco S. Dela Cruz	no
Representative Joseph P. Deleon Guerrero	yes
Representative Victor B. Hocog	yes
Representative Heinz S. Hofschneider	yes
Representative Raymond D. Palacios	absent (during voting)
Representative Justo S. Quitugua	yes
Representative Joseph C. Reyes	yes
Representative Christina M. Sablan	yes
Representative Edward T. Salas	yes
Representative Rosemond B. Santos	absent (excused)
Representative Ramon A. Tebuteb	yes
Representative Ralph DLG. Torres	yes
Representative Stanley T. McGinnis Torres	yes
Representative Ray N. Yumul	yes
Speaker Arnold I. Palacios	yes

Speaker Arnold Palacios: By a vote of 16 “yes,” H. J. R. NO. 16-5, SD1 passes the House on First and Final Reading. Floor Leader.

Floor Leader Camacho: Mr. Speaker, I believe we are moving on to Bill Calendar at this time.

Speaker Arnold Palacios: Okay, we are moving down to Bill Calendar, Floor Leader.

BILL CALENDAR

Speaker Arnold Palacios: Floor Leader.

Floor Leader Camacho: Mr. Speaker, motion for passage First and Final Reading S. B. NO.16-14 in reference to service learning at high school credit.

The motion was seconded.

S. B. NO. 16-14: A BILL FOR AN ACT TO ESTABLISH SERVICE LEARNING AS A HIGH SCHOOL CREDIT; AND FOR OTHER PURPOSES.

Speaker Arnold Palacios: The motion to pass S. B. 16-14 has been seconded. Representative Ralph Torres, recognized.

Representative Ralph Torres: I would like to ask if we can send this back to the committee. We have spoke to the author and he would like to get more information. We also spoke to the Chairperson of PSS and there is a lot more information and concerns that needs to be addressed. So, I did communicate with the Senator and he has agreed. We are going to meet on June 12, I believe, is the date with the PSS Board to address some of the concerns. So I would appreciate it if we put it back to the committee and I make a motion to move it back to the committee.

Speaker Arnold Palacios: Alright, Floor Leader, could you withdraw the motion.

Floor Leader Camacho: Thank you, Mr. Speaker, based on that information relayed by the Chairman of HEW, I withdraw that motion at this time.

Speaker Arnold Palacios: The motion has been withdrawn S. B. NO. 16-14 is hereby referred back to committee. Floor Leader.

Floor Leader Camacho: Thank you. Motion for passage First and Final Reading S. B. NO. 16-19, SD1, in reference to public lands and getting the consultation from the Mayors.

The motion was seconded.

S. B. No. 16-19, SD1: A BILL FOR AN ACT TO AMEND PL 15-2 TO CODIFY ITS PROVISIONS AS A NEW CHAPTER 14 OF PART 1, DIVISION 2, TITLE 1 OF THE COMMONWEALTH CODE AND TO GIVE MAYORS OF EACH MUNICIPALITY, SAIPAN, ROTA, TINIAN AND AGUIGUAN, AND THE NORTHERN ISLANDS AN OPPORTUNITY TO AFFECT THE DISPOSITION OF PUBLIC LANDS IN THEIR RESPECTIVE MUNICIPALITY; AND FOR OTHER PURPOSES.

Speaker Arnold Palacios: Discussion. Ready. We have discussed this fairly extensively during the committee report. Clerk, please call the roll.

The Clerk called the roll on the motion to pass S. B. NO. 16-19, SD1 on First and Final Reading:

Representative Edwin P. Aldan	yes
Representative David M. Apatang	yes
Representative Oscar M. Babauta	absent (excused)
Representative Diego T. Benavente	yes
Representative Joseph N. Camacho	yes
Representative Francisco S. Dela Cruz	yes
Representative Joseph P. Deleon Guerrero	yes
Representative Victor B. Hocog	yes
Representative Heinz S. Hofschneider	yes
Representative Raymond D. Palacios	absent (during voting)
Representative Justo S. Quitugua	yes
Representative Joseph C. Reyes	yes
Representative Christina M. Sablan	yes
Representative Edward T. Salas	yes
Representative Rosemond B. Santos	absent (excused)

Representative Ramon A. Tebuteb	yes
Representative Ralph DLG. Torres	yes
Representative Stanley T. McGinnis Torres	yes
Representative Ray N. Yumul	yes
Speaker Arnold I. Palacios	yes

Speaker Arnold Palacios: By a vote of 17 “yes,” S. B. NO. 16-19, SD1 passes the House on First and Final Reading. Floor Leader.

Floor Leader Camacho: Thank you Mr. Speaker, motion for passage First and Final Reading, H. B. 16-99, reference to CUC standard meter reading.

The motion was seconded.

H. B. No. 16-99: A BILL FOR AN ACT TO MANDATE THAT THE COMMONWEALTH UTILITIES CORPORATION ESTABLISH STANDARD METER READING PROCEDURES TO ENSURE THAT CONSUMERS ARE BILLED ACCURATELY; AND FOR OTHER PURPOSES.

Speaker Arnold Palacios: Discussion. Representative Yumul.

Representative Yumul: Thank you, I would like to know whether there is going to be a cost to implementing this procedure because there is a section here on page 1, line 18, where it says that the meter reader shall tape onto the meter the date of the meter reading itself. I am concern about this it might be an undue cost on CUC and that with their precarious financial conditions I am not sure we can allow them to.

Speaker Arnold Palacios: Representative Hocog, would you like to take the question.

Representative Hocog: Yes, Mr. Speaker, I guess Representative Yumul’s concern is very minor, and I see no problem why CUC will not do. What he asked or his concerns are but this is a very important piece of legislation Mr. Speaker that we need to ensure that CUC customers are billed accurately and not being billed with a lot of air coming out from this meter. Thank you.

Speaker Arnold Palacios: Representative Yumul, did he answer your question.

Representative Yumul: Yes, but I have one more question.

Speaker Arnold Palacios: Okay, you still have the floor, Representative Yumul.

Representative Yumul: Thank you. The other concern is continuing on page 1, line 18 where it says that CUC may estimate a meter reading only if an actual meter reading cannot be obtained by any reasonable means but because of Public Law 15-94 on meter reading it is already established by law that the meter reading estimate shall not exceed the average monthly billing amount for the previous three months. So, I would like to know whether this will conflict with Public Law 15-94.

Speaker Arnold Palacios: Is there anyone will to answer that question, I do not believe it does. In reading this because it says that they cannot use estimating method unless they do not have access to the meter itself, so if they do two estimates then they will follow the procedures set in Public Law 15-94. Representative Yumul.

Representative Yumul: Okay, thank you. If the counsel concurs with that then that is fine. Otherwise, maybe a simple amendment just to follow Public Law 15-94 in metering.

Speaker Arnold Palacios: Representative Hofschneider.

Representative Hofschneider: This is exactly going against Public Law 4-47 and that now in existence is PUC. We are charging PUC with the responsibility to look at the regulation thereabouts including but not limited to how CUC activity in terms of reading the meters and whether that is appropriate for CUC to have that regulations in existence and how they practice meter reading. What this is adding is another layer of bureaucracy and you may satisfy one person with this language but in the end, you are going to have a compounding problem like those stickers that being requested here. When you get your car service they have a very small sticker and they write down the date, when was the last that you brought it in and how many miles on the odometer and that is what we are asking, I think that is what has to be done within the system because it is a systematic problem dealing with it. This legislation is just adding another set of bureaucracy. You are not going to achieve anything. What we need to take a look at is anyone auditing those meter readers, maybe instead of this H. B. 16-99, a legislation should be on an independent auditor to audit those who are going out doing meter reading and whether they are doing their job appropriately. What is another sticker going to do to you and even to the customers? There is a two-party responsibility, the owner of the meter, which is CUC, and you the customer, the legal tender property right temporarily assigned to you to that meter, you both have the responsibility to monitor that and there is an objective language here that a meter cannot be reasonably obtained, there is an existing law that all meters have to be accessible. This kind of language just purports another layer of a confinement like you build a block wall and just because you put a window there you can see the meter that is what the law is saying about the accessibility to the meter. So what section 2 is doing is redefining another way of inaccessible metering. What are we trying to accomplish anyway by section 2? What is section 2 trying to accomplish, I mean I read it three times and I still cannot understand what is it trying to accomplish.

Speaker Arnold Palacios: Representative Benavente.

Representative Benavente: Thank you, Mr. Speaker. I understand where the author of the bill, Representative Torres is coming from. There are a lot of problems and we have to remember we are not only talking about the power meters. Unless I am wrong, this is also talking about the water meters, which is a major problem right now. CUC has just not been able to get the manpower it needs to go out there and read the meters that it has been installing and if we do not do that we are never going to pressurize the system and improve the water system on the island. Maybe this is necessary, it is a wake up call for CUC to do it correctly. So far my understanding is that there are a lot of challenges with water billings because they are just doing a lot of estimates rather than actually reading it in a monthly basis. There is also a lot of problems presently with customers that are being charged for the last six months because they were not billed or the meter was not read for every month for the last six months, and so I realize and I understand Representative Hofschneider's comment on this legislation but there is

a problem right now. Maybe this is one way. I do not know if there is another way, but something needs to be done to get CUC to read these meters correctly so that customers do not face the kind of problems they are facing right now. Really there are situations where customers are handed a bill and are being charged for six months worth of water and that is just not fair for the consumers.

Speaker Arnold Palacios: Representative Hofschneider.

Representative Hofschneider: So maybe, Mr. Speaker, we should ask the author to be very specific and that is if the problem is in fact purporting to a systematic problem internally at CUC and we are trying to deal with it and remedy the customers then state so. Let us put a penalty provision whereby they cannot back bill customers. After six months they come back and said I took a thirty thousand gallon reading for the last six months that I failed or I forgot about reading your establishment or your residence. Cut a provision because this is going against Public Law 4-47, what we can do is not go against Public Law 4-47 if you fail to read the meter appropriately within 30 days thereafter then you cannot go back and back bill those customers, it puts CUC on top of making them responsible to do what they are supposed to be doing. So how about that language. So after 30 days of consuming you cannot come back thereafter and back bill those customers. You have one opportunity and if you fail to do that.

Speaker Arnold Palacios: Representative Reyes.

Representative Reyes: Thank you, Mr. Speaker. I like the intent of the bill but two things here you are talking about water and meter. I think that the new water meters right now are locked. You cannot get in there and you cannot even see your meters. So as far as the electricity meter here, of course, it is open. The problem that I see is how are you going to put one sticker right after another every month. You are going to end up with stickers all over those meters and at the same time we do not know if one of the guys from the outside would put their own stickers. I mean safeguard outsiders from putting fraud meter readings or what not. But the intent of the bill is good and perhaps we should refine it in so many ways and not just to litter the meter boxes with bumper stickers or whatever stickers you put in. I do not know how you are going to clean it up every months and at the same time like I said just safeguard dummy readings from somebody else, there is a word to tampering or whatever, but the intent of the bill is good so that is my comment.

Speaker Arnold Palacios: If there is no objection, can I make a certain statement. There are certainly a lot of reasons why this kind of legislation is needed. Very recently during the meeting with the Executive Director the issue of a \$40,000.00 bill was raised and there are a lot of anomalies I know of an individual in Tanapag that was billed \$10,000.00 worth of water and as a result of that his power was also cut off because when you get your billing is all in one. So it was a mistake in the water reading and the family ended up with even getting their power cut off. So, there are issues that will be addressed by this intent. Representative Sablan.

Representative Sablan: Thank you Mr. Speaker. I would like to ask that this body consider not voting on this bill today and referring it to the committee. There are quite a few issues that need to be resolved with this bill. Representative Hofschneider has mentioned a few of them one is that there is already body that is tasked with oversight of CUC and this really should be their responsibility if there are issues with meter reading procedures. The other is that there is no, in the absence of a committee report

as Representative Yumul has pointed out, there is no cost benefit analysis. We have not actually consulted with CUC so we do not know if they might have comments for us. I think in general we should allow agencies that would be actually implementing the law to do their own regulations and this just seems like micromanaging on the part of the Legislature. But I think more importantly Mr. Speaker this bill does not address larger issues that surrounds CUC. It is not just that meter readers might not be reading the meters. In actuality it is also the billing system itself, which I understand has been the same billing system in place since the 1980's. So, we are dealing with that and this bill would not address that problem. There is also the problem that Representative Reyes has pointed out which is that the smart meters are not actually accessible, so by this provision having a meter reader call a customer to attain the meter reading would not give CUC anything in terms of the water readings and so what would be the cost impact on the agency if this bill becomes law. I do think that we need to take a harder look at this and while I understand the intent and I agree completely that customers should be billed for what they actually used. I do not think that this bill, as it stands now, is the way to do it. Thank you.

Speaker Arnold Palacios: Are there any further comments? Representative Dela Cruz, you are the one that gets a lot of these calls from customers with misread meters, you, are recognized.

Representative Dela Cruz: Yes I do Mr. Speaker and it is interesting that you would mentioned a CUC customer that had their water shut off because of a \$10,000.00 billing and at the same time have their power disconnected. In the 15th Legislature we overrode a veto by the Governor in as far as separation of billings at CUC and that law was very specific and that if you are in arrears with one utility you should not be penalized or having your other utility services disconnected, so that might be something to check back on in as far as maybe the consumer here that was disconnected on all CUC utilities is unaware but I remember I put out a public notice on both newspapers clearly stating the intent...(End of Tape 2 side A)... one utility should not be cut because of another utilities delinquency. Now I agree with Congressman Benavente and that this might be a wake up call. Who knows, this might be something that can be incorporated into the separation of billings law that we have right now. But yes, I have been getting a tremendous amount calls from the public out there and as far as their billings not being read customers that are given an estimated reading with an exorbitant amount for them to pay and this is something that might get CUC to begin working diligently in as far as reading the meters. Maybe CUC needs to contract the service, maybe they need to get a private company just to do the readings for their meters whether it be power or water because it is certainly is not working right now. I do not know, maybe CUC has plans right now or something in the works that they are trying to do maybe hiring more meter readers but maybe also this legislation might get CUC to wake up and you know by us trying to force the issue maybe they will wake up. Thank you Mr. Speaker.

Speaker Arnold Palacios: Thank you for that thought. Representative Salas.

Representative Salas: Mr. Speaker, you know there are a lot of concerns about this particular bill and I would like to recommend that we send it back to the committee.

Speaker Arnold Palacios: Thank you for that recommendation. State your point Representative Stanley Torres.

Representative Stanley Torres: Point of Order.

Representative Stanley Torres: I just want to call the chair to recognize me when everybody is done.

Speaker Arnold Palacios: I am sorry, were you raising you hands.

Representative Stanley Torres: Several times but let other members finish.

Speaker Arnold Palacios: Okay right after the Vice Speaker.

Vice Speaker Deleon Guerrero: Thank you Mr. Speaker. First, for the record, before you recommend sending it back to the committee I want to also lend my support to this bill for several reasons. From the CUC stand point as some members have mentioned it would not mandate, but it will certainly push them to do their jobs and for several reasons. That it is important. One because CUC has a tiered billing rate system. In the past there have been times when people were billed for more than thirty days. We now have a law I forgot what public law that CUC has agreed that if people were billed more than thirty days that they would take whatever is after thirty days and add it on to your billing but what this would do is prompt them to make sure that they read it on a timely basis. For that reason, this bill is important. Second for the record I want to agree with Representative Hofschneider he made a very valid point but one thing I wanted to mention is if you are going to amend this bill to state that there will be a penalty it almost runs contrary to the last sentence on line 18 which allows CUC some flexibility to be able to estimate it if a reading cannot be obtained by reasonable means. So we need to address that issue. Representative Sablan made a comment and I just wanted to respond that it does not address the billing issue. I think if it were to be referred to the committee because of that I do not think that it should be the reason simply because that was not the intent of this bill. There is a very specific reason, but be it as it may, I now yield.

Speaker Arnold Palacios: Before I recognize Representative Hofschneider, I would like to recognize the author, Representative Stanley Torres.

Representative Stanley Torres: Thank you, Mr. Speaker. You know, I thought that this bill is to be very specific and simple to be understood by the customers and I was not suspecting that it would become too complicated. Let me say something about what my experience was on my last billing. I received a billing for my power reading of 1080 kilowatt on the 22nd. When I went out to see my meter I read it on the 25th or 26th and they have under billed, they under rate or whatever they called it. The e reading was not correct, they are short 640 kilowatt hours. So you know they are not billing me correctly they are under billing me, so that is evidence of that. They estimated but they did not even indicate that estimated kilowatt. So what are they going to charge me another estimate in the next month? I want my meter to be read correctly so that I can pay correctly too and it is very simple a meter reader to be equipped with a duplicate receipt and stick it on to the meter that is a prove that your meter has been read on that day, it is as simple as that. Why are we having all these kinds of run around, it is making it too complicated. Now, I am lost in my own bill.

Speaker Arnold Palacios: Representative Hofschneider, I hope you have an amendment.

Representative Hofschneider: I do. I think the simplest explanation to a very simple problem is there is no oversight on what they are doing in the meter reading because if there is oversight there is accountability. So with that just so that we protect the CUC and the customer at the same time and not going against any existing law I propose an amendment to page 2, and here is where I need the counsel to jump in. On line 1, after “reading that” on page 1, insert “and actual meter reading cannot be obtained then the CUC shall not charge more than forty-five days of utilities to any customer.”

Speaker Arnold Palacios: Representative Yumul let me recognize you before you start speaking I am trying to clarify the amendment that was being offered. Is everybody clear with that? Representative Hofschneider, could you restate.

Representative Hofschneider: On page 2, if you read from page 1 starting line 18, “the CUC may estimate a meter reading only if an actual meter reading cannot be obtained by any reasonable means if” and it goes on to page 2, “...if an actual meter reading cannot be obtained then the CUC shall not charge any customer more than forty-five days estimated utility charge. That is what it means so you do not go back six months from day one they installed that meter and you forgot about them and then you come are billed six months and it shocked the heck out of every customer.

The motion was seconded.

Speaker Arnold Palacios: Is everybody clear with the amendment being offered it has been seconded. Short recess.

The House recessed at 3:10 p.m.

RECESS

The House reconvened at 3:14 p.m.

Speaker Arnold Palacios: We are back to our session. Representative Hofschneider, do you want to restate?

Representative Hofschneider: Yes, I want to restate my floor amendment. On page 2, line 2, after “reading” Remove the period and add a semicolon and the following shall read: “provided the CUC shall not bill customers more than forty-five days of estimated utilities.”

Speaker Arnold Palacios: Is that clarified? Discussion. Ready.

The motion to adopt the floor amendment offered by Representative Hofschneider to H. B. NO. 16-99 was carried by voice vote.

Speaker Arnold Palacios: Ready for the question. Representative Sablan.

Representative Sablan: In response to Representative Deleon Guerrero’s comments on the issues that I raised, I had pointed out earlier that this bill would not address the larger issues which would be CUC’s antiquated billing system problems perhaps with the meter readers themselves and then problems with

the meters and the Vice Speaker said that those are really not germane to the intent of the bill. But, if the intent of the bill is to ensure that customers are billed accurately then it will make sense for this Legislature to investigate why they are not being billed accurately. And if the problem is the water meter then we should find out why the bills are so outrageous. Perhaps, there is something wrong with the meters themselves and this bill does not address that problem. If anything, this bill could actually worsen some of CUC's problems. I would like to see if we are intent on voting on this today that we at least define what is of not being able to attain meter reading by reasonable means. I know meter readers who are not able to read meters because there is a dog that is deliberately placed in front of a meter, and so in this case would calling the customer who is obviously hostile to the meter reader help CUC to come up with an actual billing. I would be concerned about protecting the staff of CUC as well, I mean, they are dealing with safety issues and I think would is not taken into consideration with this bill. So I would like to ask again that we send this back to the committee at least some comments from CUC and find out why customers are being billed so outrageously, because we have not done that yet we have not done our homework yet and we do not have a cost benefit analysis and those stickers are not the only cost that would be incurred by CUC as a result of this bill if it becomes law.

Speaker Arnold Palacios: Representative Apatang.

Representative Apatang: Thank you. Mr. Speaker, I think enough has been said on this bill. We just amended one section here and if the good Congresswoman here has so much concern then she is welcome to amend the bill and we will act on it.

Representative Sablan: I would like to offer a motion then that we can act on and that would be a motion to send this to committee for proper review.

The motion was seconded.

Speaker Arnold Palacios: We have a standing motion already and the main motion is to pass the bill as amended.

Representative Sablan: And can I offer as a subsidiary motion, Mr. Speaker?

Speaker Arnold Palacios: Representative Sablan, please hold, let me get the good Representative Quitugua who has been raising his hands.

Representative Quitugua: Mr. Speaker, a recommendation probably for both the House PUTC Chair and the Delegation PUTC to resolve all the problems of meter reading and probably the over head cost of meter readers and to look into the cash power concepts. That is my recommendation in reference to this bill.

Speaker Arnold Palacios: You mean prepaid meters.

Representative Quitugua: Sort of the prepaid meters.

Speaker Arnold Palacios: Representative Hocog.

Representative Hocog: I guess I would like to end discussion on the motion Mr. Speaker.

Speaker Arnold Palacios: If you do not mind I would like to entertain Representative Benavente and that is going to be the last comment on this issue.

Representative Benavente: First of all, Mr. Speaker, I believe that Representative Sablan was in order to offer a subsidiary motion and that would be the motion to defer action or to refer it back to the committee which was seconded. But since you are still taking comments before entertaining that motion, Mr. Speaker, I would agree that there are a lot of things including this idea of a prepaid metering system that Ponape State the FSM has and there are lot of different ways to improve the situation with the billing system with CUC. But, a lot of that is being done internally a lot of that we are hoping that the PUC would start working on but we here in the Legislature can help our constituents as well by doing this type of requirement so that we protect our constituents and the people. Basically what we are feeling, what we have learned and I have learned is that there are a lot of inefficiencies. And as Representative Hofschneider pointed out, I am not going to be paying for the inefficiencies that CUC continues to charge our constituents, so I think this is necessary. It is called for and at some point we hope to see CUC make those necessary changes as we move on and improve the billing system. But, something has to be done to protect the constituents right now and this proposed legislation does just that. Thank you.

Speaker Arnold Palacios: I would now entertain the subsidiary motion offered by Representative Sablan to send this back to the committee and was seconded. Discussion. Ready. Representative Hocog.

Representative Hocog: Before going through the ordeal of voting again maybe my good colleague can probably withdraw her motion so we can move forward if she can make that.

Speaker Arnold Palacios: Representative Sablan.

Representative Sablan: I would have to say that my feelings are deeply hurt by the colleague of mine who seconded my motion. I would rather have if the members are intent on killing my subsidiary motion then I would like to have that on the record and also add since this is open for discussion if the intention of this bill is really to send a message to CUC that they have issues that need to be taken care of then perhaps we should offer a resolution, because that then would be the official expression of the House and we would not be making things worse. Thank you.

Speaker Arnold Palacios: That is actually a very good recommendation but since we already have a motion by the way did you withdraw your subsidiary motion.

Representative Sablan: No I did not.

Speaker Arnold Palacios: So we have a subsidiary motion and was seconded was not withdrawn and we need to move on that subsidiary motion. Ready.

The subsidiary motion offered by Representative Sablan was defeated by voice vote.

Speaker Arnold Palacios: We are back to the main motion. Are there more discussions on the bill?
Representative Benavente.

Representative Benavente: Mr. Speaker, I do not agree that a resolution would be appropriate there are just so many inefficiencies and problems that CUC is faced with right. Now a resolution would be a letter basically that gets shoved off to the side. We need something with the force and effect of law that requires them to address the problems that our constituents are facing. With the issue of billing system it is critical and we need to step in. I do not think we should micromanaging and stepping in at every problem that our community faces but in this case this has been going on too long and I think that this is one of those times where it is necessary that we basically micromanaged and step in. Thank you.

Speaker Arnold Palacios: Ready for the question we are voting on H. B. NO. 16-99, HD1, Clerk call the roll.

The Clerk called the roll on the motion to pass H. B. NO. 16-99, HD1 on First and Final Reading:

Representative Edwin P. Aldan	yes
Representative David M. Apatang	yes
Representative Oscar M. Babauta	absent (excused)
Representative Diego T. Benavente	yes
Representative Joseph N. Camacho	yes
Representative Francisco S. Dela Cruz	yes
Representative Joseph P. Deleon Guerrero	yes
Representative Victor B. Hocog	yes
Representative Heinz S. Hofschneider	no
Representative Raymond D. Palacios	absent (during voting)
Representative Justo S. Quitugua	yes
Representative Joseph C. Reyes	abstained
Representative Christina M. Sablan	no
Representative Edward T. Salas	no
Representative Rosemond B. Santos	absent (excused)
Representative Ramon A. Tebuteb	yes
Representative Ralph DLG. Torres	yes
Representative Stanley T. McGinnis Torres	yes
Representative Ray N. Yumul	no
Speaker Arnold I. Palacios	yes

Speaker Arnold Palacios: By a vote of 12 “yes,” H. B. NO. 16-99, HD1 passes the House on First and Final Reading. This is a fairly lengthy discussion on a very simple bill. It really does reflect a lot of issues with how CUC deals with customers. And when you begin to see a lot of these issues coming up in our constituents in our community, although at times it looks like we are micromanaging, I think it is appropriate that we bring this to CUC’s concern. It is very important that CUC through its system begin to address these systemic problems. I remember that sometimes back the Department of Interior and correct me if I am wrong, even gave several hundreds of thousands of dollars of federal grants to address the metering problems. I do not know why everytime we have a system that seems to work that we would pay a lot of money to fix. Several years after the implementation of those improvements to the system the system breaks down again. We will continue to go through this and certainly the committee on PUTC may look into this. I know our good Representative Dela Cruz when he was a

Chairman of PUTC did address several of these concerns and resulted in some legislations that were passed. In fact some were vetoed by the Governor and were overridden, particularly that issue of separation of the billing of the utility services of power, water, and sewer. That was a big issue because you had families that whose water service were getting cut off also because they could not afford to pay the power but they were able to pay for the water, but because it was consolidated billing they cannot choose one or the other. Perhaps the PUTC Chair and also Representative Sablan since you are the Chair for PUTC for the Saipan Delegation could look into this because this is a major particularly on this island. Representative Sablan.

Representative Sablan: Just a brief comment and this goes back to something that Representative Dela Cruz said earlier. I think one thing we should also consider acting on is the privatization bill, House Bill 16-77 because perhaps if CUC were to privatize billings for example or collections or metering reading or any of these functions that they cannot seem to do effectively then having this bill in place to implement those guidelines would help solve the real problem that still lingers after this bill.

Speaker Arnold Palacios: Floor Leader.

Floor Leader Camacho: Thank you. Mr. Speaker, a motion for passage First and Final Reading of House Bill No. 16-68 reference to allow retirees to enroll in the government health care plan.

The motion was seconded.

H. B. No. 16-68: A BILL FOR AN ACT TO REPEAL AND REENACT 1 CMC § 8364 AS AMENDED BY PUBLIC LAW 15-70, SECTION 4 (J), TO ALLOW ANNUITANTS TO ENROLL IN THE COMMONWEALTH GOVERNMENT HEALTH CARE PROGRAM, AND FOR OTHER PURPOSES.

Speaker Arnold Palacios: Discussion. Representative Hofschneider.

Representative Hofschneider: Just one question. This is will be a straight enrollment the retired individual will be dealing with the entire cost of it or is Retirement again going to be amending their investment portfolio to consider new enrollees?

Speaker Arnold Palacios: Floor Leader.

Floor Leader Camacho: What the bill's intention is there are retirees who are members under Staywell or Calvo or Moylans or some other insurance company this allows them to come and join the AETNA which is the government health care provider, but the retirees still shoulder the expense of joining the plan, not the retirement system.

Representative Hofschneider: No. That is not necessarily accurate.

Floor Leader Camacho: That is what the bill is intending to do.

Speaker Arnold Palacios: Representative Sablan.

Representative Sablan: Thank you. Mr. Speaker, I just like the author of the bill to go on record and explain the intention and in the absence of a committee report also perhaps we could talk about the benefits and the costs and what the impacts would be to the Retirement Fund and what would be the impacts would be to the retirees as well.

Speaker Arnold Palacios: Floor Leader.

Floor Leader Camacho: Mr. Speaker, there are two benefits. One is to Retirement Fund itself because there is presently a six month gap that you can retire in January and then you can be injured in March and then still wait till May or June to join and during that six-month period during that gap you are not paying into the Retirement health care plane, that part is removed, so that is the benefit to the Retirement plan. The second part is.

Representative Hofschneider: Point of clarification.

Speaker Arnold Palacios: State your point Representative Hofschneider.

Representative Hofschneider: We are covered under the umbrella of the COPRA Law (Consolidated Omnibus Budget Reconciliation Act), the federal law so you have to 18 months from termination or seizing of an existing employment without any reparation absence of a new insurance policy holder.

Speaker Arnold Palacios: Continue, Floor Leader.

Floor Leader Camacho: The second part of it is that those who are members of Staywell or some other plan not part of the government because in the beginning it was run by a different company and most people prefer to seek their own health care plan, those retirees who want to join the AETNA the health care provider now they are welcome to come in and join, that is as clear as you want.

Speaker Arnold Palacios: Representative Sablan, you still have the floor.

Representative Sablan: Thank you, Mr. Speaker. No, I am not asking for a song and dance I am asking for a real justification since there is no committee report and I do not see any comments from the Retirement Fund and it is not clear to exactly what these changes. So this is the six month gap between when a person actually retires and when they can enroll in the government health, is that correct?

Speaker Arnold Palacios: Floor Leader.

Floor Leader Camacho: Thank you. Mr. Speaker, this bill was drafted by myself with inputs.... (*End of tape 2 side B*)

Speaker Arnold Palacios: So in essence what you are saying is that the Retirement Fund staff did have some input into the drafting of this legislation. Representative Sablan, continue.

Representative Sablan: Well, that is good to know because none of us were actually provided with copies of those comments and if you have them I would like to see them.

Speaker Arnold Palacios: Actually what he was saying is was that they had a hand in drafting the legislation.

Representative Sablan: They actually helped to draft this bill, okay. So the impact to the Retirement Fund then is a positive impact because why?

Floor Leader Camacho: Maybe I should stand up and sing and dance to it. Let me say again for those who are slow to follow. There are two benefits, one, you remove the six month gap that is a straight--right, okay. That there are liabilities that are floating out there during that six month gap where a person can opt to join the government retirement plan even though they are not paying into the government plan, that part is removed, okay. The other benefit is to the retirees themselves if they are members of other plans and they say, wow AETNA is an international health care provider they are down in Asia in the Philippines, all other the United States that is the kind of plan I want to join. So they can join the plan or not join the plan. There you go Mr. Speaker.

Speaker Arnold Palacios: Representative Sablan you still have the floor.

Representative Sablan: Okay, so that it is clear and I apologize for my slowness, Mr. Floor Leader, okay. So if I am understanding you correctly the problem now that this bill attempts to resolve is that there is a six month gap where retirees are covered by the plan but not actually paying into it and the intent of the bill is to make them start paying for it upon the moment of retirement if they decide to enroll in the government health plan.

Floor Leader Camacho: It is actually removed. There is a grace period that they can come back in even though they are not paying into the plan, that is the part removed.

Representative Sablan: Okay see so that part was not clear to me and thank you for clarifying that.

Speaker Arnold Palacios: Okay. Ready. Thank you, Floor Leader, for clarifying that. The motion is to pass H. B. NO. 16-68 on First and Final Reading. Clerk, call the roll.

The Clerk called the roll on the motion to pass H. B. NO. 16-68 on First and Final Reading:

Representative Edwin P. Aldan	yes
Representative David M. Apatang	yes
Representative Oscar M. Babauta	absent (excused)
Representative Diego T. Benavente	yes
Representative Joseph N. Camacho	yes
Representative Francisco S. Dela Cruz	yes
Representative Joseph P. Deleon Guerrero	yes
Representative Victor B. Hocog	yes
Representative Heinz S. Hofschneider	yes
Representative Raymond D. Palacios	absent (during voting)
Representative Justo S. Quitugua	yes
Representative Joseph C. Reyes	yes
Representative Christina M. Sablan	yes
Representative Edward T. Salas	yes
Representative Rosemond B. Santos	absent (excused)
Representative Ramon A. Tebuteb	yes

Representative Ralph DLG. Torres	yes
Representative Stanley T. McGinnis Torres	yes
Representative Ray N. Yumul	yes
Speaker Arnold I. Palacios	yes

Speaker Arnold Palacios: By a vote of 17 “yes,” H. B. NO. 16-68 passes the House on First and Final Reading. Floor Leader.

Floor Leader Camacho: Thank you, Mr. Speaker, a motion for passage First and Final Reading H. B. No. 16-105.

The motion was seconded.

H. B. No. 16-105: A BILL FOR AN ACT TO APPROPRIATE \$291,210.00 FROM THE PUBLIC SCHOOL SYSTEM CIP GENERAL OBLIGATION BOND WITH THE BANK OF NEW YORK TRUST COMPANY, N.A., AND FURTHER APPROPRIATE ANY FUND BALANCE AVAILABLE AT THE CLOSURE OF THE INDENTURE TRUST AGREEMENT TO FINANCE THE PUBLIC SCHOOL SYSTEM CLASSROOM REPAIRS AND RENOVATIONS AND PARKING LOT PAVING ACTIVITIES; AND FOR OTHER PURPOSES.

Speaker Arnold Palacios: Discussion. Representative Yumul.

Representative Yumul: Thank you, Mr. Speaker, I would like to know from the author the dollar value \$291,631.00 because this legislation was introduced on May 22nd. Is this a fine-eyed amount or is it a compounding interest because if it is can we just make it flexible to just say whatever fund balance is left and just take the final amount when it is signed into law, so we do not have to keep coming back.

Speaker Arnold Palacios: Representative Quitugua.

Representative Quitugua: Mr. Speaker, on page 2, line 4, it says after Bank of New York Trust Company, N.A., and further appropriates any fund balances available at the closure of the Indenture Trust agreement, so that is taken into consideration.

Speaker Arnold Palacios: Representative Sablan.

Representative Sablan: Thank you, Mr. Speaker. I just wanted to find out perhaps we can get an opinion from the legal counsel. I guess I am not sure about the legality about making appropriate when we are under a continuing resolution, perhaps we can clarify that.

Speaker Arnold Palacios: Short recess.

The House recessed at 3:30 p.m.

RECESS

The House reconvened at 3:35 p.m.

Speaker Arnold Palacios: Representative Quitugua, do you want to make some of those technical corrections.

Representative Quitugua: Yes, Mr. Speaker, to be consistent with the amount available for appropriation, on page 2, line 2, instead of \$291,631.00, it shall read, \$291,210.00.

Speaker Arnold Palacios: Thank you, is everybody clear on that. Are there any more discussion. Ready? Representative Sablan, for the last time.

Representative Sablan: Yes, Mr. Speaker, I do not know if this will be considered just a minor technical amendment, but on page 2, just to clarify of the annual reporting requirements to say the annual report shall also this is on line 18 at a minimum report on a qualitative and quantitative progress, I was not sure this is going to be a “may also” or “must also” but I would like that to be on the report if the author does not object.

Speaker Arnold Palacios: Okay all clarified. Ready? Clerk, call the roll.

The Clerk called the roll on the motion to pass H. B. NO. 16-105 on First and Final Reading:

Representative Edwin P. Aldan	yes
Representative David M. Apatang	yes
Representative Oscar M. Babauta	absent (excused)
Representative Diego T. Benavente	yes
Representative Joseph N. Camacho	yes
Representative Francisco S. Dela Cruz	yes
Representative Joseph P. Deleon Guerrero	yes
Representative Victor B. Hocog	yes
Representative Heinz S. Hofschneider	yes
Representative Raymond D. Palacios	absent (during voting)
Representative Justo S. Quitugua	yes
Representative Joseph C. Reyes	yes
Representative Christina M. Sablan	yes
Representative Edward T. Salas	yes
Representative Rosemond B. Santos	absent (excused)
Representative Ramon A. Tebuteb	yes
Representative Ralph DLG. Torres	yes
Representative Stanley T. McGinnis Torres	yes
Representative Ray N. Yumul	yes
Speaker Arnold I. Palacios	yes

Speaker Arnold Palacios: By a vote of 17 “yes,” H. B. NO. 16-105 passes the House on First and Final Reading. Let me call a five minute recess.

The House recessed at 3:44 p.m.

RECESS

The House reconvened at 3:45 p.m.

Speaker Arnold Palacios: Floor Leader.

Floor Leader Camacho: Thank you Mr. Speaker, motion for passage First and Final Reading H. B. NO. 16-106.

The motion was seconded.

H. B. No. 16-106: A BILL FOR AN ACT TO REAPPROPRIATE \$1,877.19 FROM SAIPAN LOCAL LAW 14-31 FOR THE PAYMENT OF SMALL CLAIMS NO. 07-0939 AND TO REAPPROPRIATE \$10,213.00 FROM SAIPAN LOCAL LAW 14-30 FOR THE REPAIRS AND MAINTENANCE OF WILLIAM S. REYES ELEMENTARY SCHOOL.

Speaker Arnold Palacios: Discussion. Representative Sablan.

Representative Sablan: Yes, I just wanted to ask the author of the bill if this appropriation from Local Law 14-30, if that would affect any ongoing projects.

Speaker Arnold Palacios: Representative Quitugua.

Representative Quitugua: No, Mr. Speaker, this is a complete balance of the air conditioners that were bought for the school and during the budget hearing the principal told us that she has already received all the purchased air conditioners and I also verified with the Department of Finance and they said that this is the remaining balance of the total appropriation, and additional Mr. Speaker, since this was a Precinct II school, I asked the minority leader and he said to go ahead and give it to repairs and maintenance for the school. Thank you.

Speaker Arnold Palacios: Okay. Ready. Clerk call the roll.

The Clerk called the roll on the motion to pass H. B. NO. 16-106 on First and Final Reading:

Representative Edwin P. Aldan	yes
Representative David M. Apatang	yes
Representative Oscar M. Babauta	absent (excused)
Representative Diego T. Benavente	yes
Representative Joseph N. Camacho	yes
Representative Francisco S. Dela Cruz	yes
Representative Joseph P. Deleon Guerrero	yes
Representative Victor B. Hocog	yes
Representative Heinz S. Hofschneider	yes
Representative Raymond D. Palacios	absent (during voting)
Representative Justo S. Quitugua	yes
Representative Joseph C. Reyes	absent (during voting)
Representative Christina M. Sablan	yes
Representative Edward T. Salas	yes
Representative Rosemond B. Santos	absent (excused)
Representative Ramon A. Tebuteb	yes
Representative Ralph DLG. Torres	yes
Representative Stanley T. McGinnis Torres	yes
Representative Ray N. Yumul	yes
Speaker Arnold I. Palacios	yes

Speaker Arnold Palacios: By a vote of 16 “yes,” H. B. NO. 16-106 passes the House on First and Final Reading. Clerk for the record Representative Reyes had asked to be excused he had an emergency. Floor Leader.

Floor Leader Camacho: Thank you Mr. Speaker, motion for passage First and Final Reading H. B. NO. 16-107.

The motion was seconded.

H. B. No. 16-107: A BILL FOR AN ACT TO APPROPRIATE \$20,000 FROM THE DEVELOPER’S TAX FUND COLLECTION, THIRD SENATORIAL DISTRICT; TO REAPPROPRIATE \$3,000 FROM SAIPAN LOCAL LAW 15-10; TO REAPPROPRIATE \$10,000 FROM SAIPAN LOCAL LAW 15-12; TO REAPPROPRIATE \$10,000 FROM SAIPAN LOCAL LAW 15-28; AND TO REAPPROPRIATE THE FUND BALANCE IN THE AMOUNT OF \$31,479.00 FROM THE COMPLETED AND CLOSED LOCAL PROJECTS TO FUND THE REPLACEMENTS OF THE DILAPIDATED KINDERGARTEN CLASSROOMS AS SAN VICENTE ELEMENTARY SCHOOL; AND FOR OTHER PURPOSES.

Speaker Arnold Palacios: Discussion. Representative Sablan.

Representative Sablan: Thank you, Mr. Speaker. I did pass around two handouts just so that we can go on the record since this is being passed on First and Final Reading and takes from quite a few accounts so that the members understands what the intent of this bill is. So it is the handout that begins with the letter from DPW Secretary and also the fund balances which I obtained from the Department of Finance as of April 30. As the bill states and I would like to thank Representative Quitugua for assisting San Vicente School. The kindergarteners have been housed in these temporary emergency structures that were built after Typhoon Kim so around 1986 or 1988 and those were built using FEMA funds and they were intended to be temporary and the school has been using them every since. They are now these termite infested, water damaged, dilapidated classrooms and it is my understanding that if they do not replace those classrooms by this summer the school would be forced to shut kindergarten down. The accreditation committee has repeated cited the dilapidated kindergarten classrooms as a major concern for the school and also cited the need for funding from the government to support the construction of safe classrooms for these students. If I could give some back ground there was supposed to be money appropriated among other things for Precinct I projects so including roads as well as public facilities. If we could go through the hand out that I passed out.

Representative Hofschneider: Point of...

Speaker Arnold Palacios: State your point, Representative Hofschneider.

Representative Hofschneider: I think Mr. Speaker, we got the point, I move to end debate.

Speaker Arnold Palacios: Representative Sablan.

Representative Sablan: I would like to just get this on the record because I do not intend to read the entire document but just for the information of members and so that this goes on the record because this is an issue that came up because there was an appropriation made and then money was later reappropriated to something else and the school got left behind.

Speaker Arnold Palacios: Thank you very much. Continue, Representative Sablan.

Representative Sablan: No, I would like this bill to pass but there is funding something that the members should be aware of is that this bill still does not cover the funding the entire amount that is needed for this school. They need to build three classrooms, one for special education. Special Ed students are still being housed in a closet but at least that closet is not about to be condemned. So the kindergarteners are the priority. There is a quote here in this packet that gives a estimate of \$85,000.00 and so this bill does fall short but hopefully they will be able to find other funding either through PTA or through the Tan Holdings donation.

Representative Hocog: Privilege, Mr. Speaker.

Speaker Arnold Palacios: Representative Hocog, state your privilege.

Representative Hocog: I withdraw my second on the motion of Congressman Hofschneider so I will let my angel continue to talk.

Speaker Arnold Palacios: She is about to finish. Continue Representative Sablan.

Representative Sablan: So to wrap this all up, Mr. Speaker, the DPW has reviewed the bill and has confirmed that the bill will not affect ongoing projects with the exception of this one account but I think there is a House Substitute that would be offered.

Speaker Arnold Palacios: Thank you, correct if I am wrong, Representative Apatang and Representative Hofschneider, did Representative Ada appropriate money for this kindergarten?

Representative Hofschneider: I was asking for to be saved because this is the third time I heard this.

Speaker Arnold Palacios: I have seen this but let us hope that it gets built. What happened to Representative Ada's appropriation? Representative Sablan, you want to answer that?

Representative Sablan: Well if the Vice Speaker would like to okay just to clarify that is this the same bill 15-24 are we talking about the same bill? Back in the 14th, then I cannot answer that I do not know what happened in the 14th.

(LAUGHTER)

Speaker Arnold Palacios: It is fair to say that we keep going back.

Representative Sablan: But there was funding that was given to the school in the 15th and then it was taken away after a series of other appropriation and so I would like to ask that we could consider for future appropriations what we are taking from.

Speaker Arnold Palacios: Representative Quitugua do you have a substitute or an amendment?

Representative Quitugua: Yes, Mr. Speaker I was just going to say that we will be voting on House Bill No. 16-107, HD1, which was passed out to all the members earlier.

H. B. No. 16-107, HD1: A BILL FOR AN ACT TO APPROPRIATE \$20,000 FROM THE DEVELOPER'S TAX FUND COLLECTION, THIRD SENATORIAL DISTRICT; TO REAPPROPRIATE \$3,000 FROM SAIPAN LOCAL LAW 15-10; TO REAPPROPRIATE \$10,000 FROM SAIPAN LOCAL LAW 15-12; TO REAPPROPRIATE \$10,000 FROM SAIPAN LOCAL LAW 15-28; AND TO REAPPROPRIATE THE FUND BALANCE IN THE AMOUNT OF \$8,620.00 FROM THE COMPLETED AND CLOSED LOCAL PROJECTS TO FUND THE REPLACEMENTS OF THE DILAPIDATED KINDERGARTEN CLASSROOMS AS SAN VICENTE ELEMENTARY SCHOOL; AND FOR OTHER PURPOSES.

The motion was seconded.

Speaker Arnold Palacios: Short recess.

The House recessed at 3:46 p.m.

RECESS

The House reconvened at 3:50 p.m.

Speaker Arnold Palacios: Ready? Clerk, please call the roll.

The Clerk called the roll on the motion to pass H. B. NO. 16-107, HD1 on First and Final Reading:

Representative Edwin P. Aldan	yes
Representative David M. Apatang	yes
Representative Oscar M. Babauta	absent (excused)
Representative Diego T. Benavente	yes
Representative Joseph N. Camacho	yes
Representative Francisco S. Dela Cruz	yes
Representative Joseph P. Deleon Guerrero	yes
Representative Victor B. Hocog	yes
Representative Heinz S. Hofschneider	yes
Representative Raymond D. Palacios	absent (during voting)
Representative Justo S. Quitugua	yes
Representative Joseph C. Reyes	absent (excused)
Representative Christina M. Sablan	yes
Representative Edward T. Salas	yes
Representative Rosemond B. Santos	absent (excused)
Representative Ramon A. Tebuteb	yes
Representative Ralph DLG. Torres	yes

Representative Stanley T. McGinnis Torres	yes
Representative Ray N. Yumul	yes
Speaker Arnold I. Palacios	yes

Speaker Arnold Palacios: By a vote of 16 “yes,” H. B. No. 16-107, HD1 passes the House on First and Final Reading. Floor Leader.

Floor Leader Camacho: Thank you Mr. Speaker, a motion for passage First and Final Reading of H. B. No. 16-14 to regulate land exchange program and for other purpose.

The motion was seconded.

H. B. No. 16-14: A BILL FOR AN ACT TO REGULATE THE LAND EXCHANGE PROGRAM; AND FOR OTHER PURPOSES.

Speaker Arnold Palacios: Discussion. Ready. Clerk, call the roll.

The Clerk called the roll on the motion to pass H. B. No. 16-14 on First and Final Reading:

Representative Edwin P. Aldan	yes
Representative David M. Apatang	yes
Representative Oscar M. Babauta	absent (excused)
Representative Diego T. Benavente	yes
Representative Joseph N. Camacho	yes
Representative Francisco S. Dela Cruz	yes
Representative Joseph P. Deleon Guerrero	yes
Representative Victor B. Hocog	yes
Representative Heinz S. Hofschneider	yes
Representative Raymond D. Palacios	absent (during voting)
Representative Justo S. Quitugua	yes
Representative Joseph C. Reyes	absent (excused)
Representative Christina M. Sablan	yes
Representative Edward T. Salas	yes
Representative Rosemond B. Santos	absent (excused)
Representative Ramon A. Tebuteb	yes
Representative Ralph DLG. Torres	yes
Representative Stanley T. McGinnis Torres	yes
Representative Ray N. Yumul	yes
Speaker Arnold I. Palacios	yes

Speaker Arnold Palacios: By a vote of 16 “yes” H. B. No. 16-14 passes the House on First and Final Reading. Floor Leader.

Floor Leader Camacho: Mr. Speaker, a motion for passage First and Final Reading of H. B. No. 16-57 in reference to Northern Island landing permits.

The motion was seconded.

H. B. NO. 16-57, HD1: A BILL FOR AN ACT TO PROVIDE THE MAYOR OF THE NORTHERN ISLANDS WITH THE AUTHORITY TO ISSUE LANDING PERMITS FOR THE ISLANDS NORTH OF SAIPAN; AND FOR OTHER PURPOSES.

Speaker Arnold Palacios: Discussion. Representative Sablan.

Representative Sablan: This is on H. B. NO. 16-57 allowing the Mayor of the Northern Islands, did we adopt the Standing Committee Report?

Speaker Arnold Palacios: Yes, we did that this morning. Ready? Clerk, call the roll.

The Clerk called the roll on the motion to pass H. B. NO. 16-57, HD1 on First and Final Reading:

Representative Edwin P. Aldan	yes
Representative David M. Apatang	yes
Representative Oscar M. Babauta	absent (excused)
Representative Diego T. Benavente	yes
Representative Joseph N. Camacho	yes
Representative Francisco S. Dela Cruz	yes
Representative Joseph P. Deleon Guerrero	yes
Representative Victor B. Hocog	yes
Representative Heinz S. Hofschneider	yes
Representative Raymond D. Palacios	absent (during voting)
Representative Justo S. Quitugua	yes
Representative Joseph C. Reyes	absent (excused)
Representative Christina M. Sablan	yes
Representative Edward T. Salas	yes
Representative Rosemond B. Santos	absent (excused)
Representative Ramon A. Tebuteb	yes
Representative Ralph DLG. Torres	yes
Representative Stanley T. McGinnis Torres	yes
Representative Ray N. Yumul	yes
Speaker Arnold I. Palacios	yes

Speaker Arnold Palacios: By a vote of 16 “yes,” H. B. NO. 16-57, HD1 passes the House on First and Final Reading. Floor Leader one more.

Floor Leader Camacho: Mr. Speaker, a motion to suspend the rules to place H. B. NO. 16-113 reference to Joaquin Ogo Baseball field on Rota on the bill calendar.

The motion was seconded, and there being no discussion, the motion to suspend pertinent House Rules for the placement of H. B. NO. 16-113 on the day’s Bill Calendar was carried by voice vote.

Speaker Arnold Palacios: Floor Leader.

Floor Leader Camacho: Thank you Mr. Speaker, a motion to place H. B. NO. 16-113 on the Bill Calendar.

The motion was seconded and carried by voice vote.

Speaker Arnold Palacios: Floor Leader.

Floor Leader Camacho: Thank you again Mr. Speaker, a motion for passage First and Final Reading of House Bill No. 16-113 reference to Joaquin Ogo baseball field on Rota.

The motion was seconded.

H. B. No. 16-113: A BILL FOR AN ACT TO NAME THE BASEBALL FIELD IN SINAPALO, ROTA AS THE “JOAQUIN MESNGON OGO BASEBALL FIELD”; FOR OTHER PURPOSES.

Speaker Arnold Palacios: Discussion. Representative Hocog.

Representative Hocog: *Ilek-hu, Mr. Speaker, na propio esti na intension para i esti na lehislatura para ta apreba si Señor Joaquin M. Ogo gi anakuku na tiempo ha'setbi i Kumunidad Luta gi bandan huegu ni esti siha i softball yan baseball. Diset ginen ni gaige yo' guenao na i idat kinsi años hu tistiguyi yan sumanao yu nu sinetbi nu i setbisiona. I impotante esti na lehislacion, Mr. Speaker, gi pago-go pot hasi' kumo señor Ogo pago nu gaigui gi minalango ya i dia siguru yu na esta guaha tiempoña na i para, I hinanao'ña gi tano yan mentras ki gua'gua yan maolek hinaso'na apropihu na hu ginacha mohon i esti noktu ni para hu senti na ma rekonisa i tai'nison na setbisiona gi kominidat Luta sen hafa na apas ya si Senot Ogo ha ko'ni meggai na sinentin taotao gi bandan huegu yangin guiya ma ayek para u umpire gi huegon i baseball or softball ya hudiseseha i mangachong-hu na u ma supota esti sigun lokkue i akto nai ma cho'gui gi resulacion ginen i Rota Legislative Delegation ma supo'pota intension esti anai para siña u man na halom gi pã'pa i akto i Commonwealth na ma rekonisa i setbi'siona gi kominidat Islan Luta. Pues setmas ileklek-hu na i aksion esti na lehislatura i familia gi tai'enision yan dangkulo na komonprendi minagof para hu mali'e na guaha memorabli ma ekstendi guato para i as i tata'niha. Pues enao ha Mr. Speaker malago'hu para bai hu na tungo siha i membru yan si yu'us ma'ase nai i sappotasion miyo para un ma rekonisa si Mr. Joaquin M. Ogo yan ola mohon na mentras ki guagua'ha tiempo hu ekpot siha man gatchong na yangin sakasu na ta pasa esti pãgo gaigi ha si Mr. Ogo pãgo gi espitat antes di man'hanao pa'pa buenti sen bonito para ta napan ma'nungu i familia nu i aksion i man'gatchong pãgo na ha'ane ni para ta na'i gui ni esti na seknifikasion rekognasion para guiya yan i familia si Yu'us ma'ase.*

Speaker Arnold Palacios: Thank you. Ready. Clerk call the roll.

The Clerk called the roll on the motion to pass H. B. NO. 16-113 on First and Final Reading:

Representative Edwin P. Aldan	yes
Representative David M. Apatang	yes
Representative Oscar M. Babauta	absent (excused)
Representative Diego T. Benavente	yes
Representative Joseph N. Camacho	yes
Representative Francisco S. Dela Cruz	yes
Representative Joseph P. Deleon Guerrero	yes
Representative Victor B. Hocog	yes
Representative Heinz S. Hofschneider	yes
Representative Raymond D. Palacios	absent (during voting)

Representative Justo S. Quitugua	yes
Representative Joseph C. Reyes	absent (excused)
Representative Christina M. Sablan	yes
Representative Edward T. Salas	yes
Representative Rosemond B. Santos	absent (excused)
Representative Ramon A. Tebuteb	yes
Representative Ralph DLG. Torres	yes
Representative Stanley T. McGinnis Torres	yes
Representative Ray N. Yumul	yes
Speaker Arnold I. Palacios	yes

Speaker Arnold Palacios: By a vote of 16 “yes,” H. B. NO. 16-113 passes the House on First and Final Reading. Floor Leader, a motion to adjourn but before I entertain that motion, Representative Salas.

Representative Salas: Mr. Speaker, I would to ask. There are about three resolutions that are still pending and I just want to know the status of those resolutions if perhaps we can entertain then in the next session. There is one House Joint Resolution 16-4 which is offered by Representative Yumul on April 25th creating a joint focus group within Legislature to study the Guam military build up. Other House Resolution 16-6, HD1, offered by Representative Stanley Torres on February 11th regarding the parking needs for disabled citizens and another one is House Resolution 16-9 offered by Representative Tina Sablan on March 28th (*End of Tape 3 side A*)

Speaker Arnold Palacios: ...ready and provide the report by next session at least give us a status report. Representative Sablan.

Representative Sablan: Thank you, Mr. Speaker, I am glad that Representative Salas has raised the issue of these pending resolutions because I believe that actually there was supposed to be a report from the Ad Hoc Rules Committee Chairman a number of weeks ago and if we could get a status report from the Chairman now I would appreciate that. It is not on the calendar actually it was removed from the calendar with the order that the Ad Hoc Committee Chairman shall report within three weeks.

Speaker Arnold Palacios: Point is well-taken and he will report by next session. Floor Leader, I would like to get a status reading on that by next session.

Floor Leader Camacho: You will get a status.

Speaker Arnold Palacios: We will get a report next which is next week. Have the committee met, Floor Leader?

Floor Leader Camacho: Mr. Speaker, you will get a status next I think you can better report at this time.

Representative Sablan: Mr. Speaker, it is a simple question. All I am asking for is an answer.

Speaker Arnold Palacios: Have you met? Floor Leader.

Floor Leader Camacho: I have met periodically with several members of the Ad Hoc Committee.

Representative Sablan: To review the resolution.

Floor Leader Camacho: As to my last statement at the last session, Mr. Speaker, the resolution is obviously getting the attention it deserves and we are working hard at it.

ANNOUNCEMENT

Speaker Arnold Palacios: Okay. Are there any announcement? Representative Quitugua.

Representative Quitugua: Mr. Speaker, it is not an announcement but on behalf of the students at the Public School System, I would like to take this time to thank every member of the House for supporting House Bill No. 16-105, 16-106, and 16-107, HD1. Time is of the essence and these bills are timely since the schools are out for three months. We give the Public School System ample time to do the repairs at their schools. Thank you very much again.

MISCELLANEOUS BUSINESS

Speaker Arnold Palacios: Representative Benavente.

Representative Benavente: Thank you, Mr. Speaker. Under Miscellaneous our actions today to reject the Executive Order speaks loud of our position that we want to preserve the Public Law 2-48 which is the Board and its authority. I think that we, as members, and you, Mr. Speaker, we need to lobby hard with the Senate to move on the legislation that was offered by the Floor Leader to limit the authority of the Governor on the emergency disaster declaration because if we do not and the Governor wishes to continue every thirty days the State of Emergency to fulfill his original intent to suspend the authority for a period of six months then our actions today would be for nothing because he still would have continue to circumvent the authority of the Legislature. And so I hope that the Senate may act expeditiously so that we can limit the Governor's authority. Thank you.

Speaker Arnold Palacios: Thank you. Representative Stanley Torres.

Representative Stanley Torres: Thank you, Mr. Speaker. This is a concern that I need to bring up to the members' attention. The case that is under investigation. Have they conduct a thorough or is a investigation being done, or what in regards to the purchaser of the copper wire that was found to be buying from stolen property. I am referring to the Triple Star. I have not heard that in the newspaper how far the Attorney General's investigation into that case, is it just another case that needs to be ignored and let go until it is lost in the shelf of the Attorney General. I am just raising this up so that if any member interested to back me up and maybe attain a search warrant into the Attorney General Office and look at these files.

Speaker Arnold Palacios: Representative Yumul, you seem to know a lot about these copper, do you know anything about this case?

Representative Yumul: Mr. Speaker the forty foot containers I believe there are about two of them down in the seaport are currently still there they are still in the control of the Division of Customs. I

spoke with one of their officers about little over a week and a half ago and they are under the impression that the investigation is still active but they do not have any other information as to the status of the case with the Attorney General's Office.

Speaker Arnold Palacios: Thank you. Representative Ralph Torres.

Representative Ralph Torres: I would like to say it is not about that but I would like to let everybody know that there is a public hearing in Rota on June 6 regarding House Bill No. 16-09 the Health Care Corporation and also the Smoke Free Air Act of 2008 and on June 9 in Tinian, and June 13 in Kagman High School, June 16 in San Antonio School and June 14 in GTC, everyone is welcome to participate.

Speaker Arnold Palacios: Thank you. Now regarding the issue of the copper wire. Can you look into that, Representative Yumul, and check your contacts and see if you can get some bearing okay, give us an update. Representative Hocog.

Representative Hocog: Yes, Mr. Speaker, for the record I would like to ask the indulgence of the Speaker to please send House Bill No. 16-113 to the Senate for their action next week. Thank you.

Speaker Arnold Palacios: Before we adjourn I would like to reference on House Communication No. 16-49. This the recommendation formalizing PUC confirmation process this is a recommendation submitted by Representative Sablan. If you recalled a couple of session ago she brought the issue up and I asked her to come up with the recommendations. So these recommendations are submitted officially, Mr. Chairman, on PUTC see if you can use some of these recommendation in the confirmation process, okay, for nominees for PUC, okay. Representative Hocog.

Representative Hocog: Thank you Mr. Speaker I will do so and I would like to commend my angel for really spending time in providing the criteria on how to extract information from the nominees and I am pretty sure that the Administration will submit what is required of to confirming the two potential PUC members. Again, thank you, Representative Sablan.

Speaker Arnold Palacios: Floor Leader.

Floor Leader Camacho: Before I make the motion just to inform the members I am privy to information as to PUC. They had a meeting. Two out of the three members met in Guam with the Guam PUC and other utility board members all afternoon yesterday and all this morning today. So there is at least some progress on that area just to inform the members on that matter.

Speaker Arnold Palacios: Thank you.

ADJOURNMENT

Floor Leader Camacho: Mr. Speaker, a motion to adjourn subject to your call.

The motion was seconded and was carried by voice vote.

The House adjourned at 4:30 p.m., subject to the Call of the Chair.

Respectfully submitted,

Linda B. Muna
Assistant Clerk
House of Representatives

APPEARANCE OF LOCAL BILLS

FIRST APPEARANCE: 1st Legislative appearance of a local bill is on the day it is introduced.

SECOND APPEARANCE:

H. L. B. NO. 16-16: A Local Bill for an Act for the Third Senatorial District to appropriate \$20,000 from the Developer's Tax Fund collection, Third Senatorial District; to reappropriate \$3,000 from Saipan Local Law 15-10; to reappropriate \$10,000 from Saipan Local Law 15-12; to reappropriate \$10,000 from Saipan Local Law 15-28; and to reappropriate \$31,479.00 from the completed and closed local projects to fund the replacements of the dilapidated kindergarten classrooms at San Vicente Elementary School; and for other purposes. (Rep. Justo S. Quitugua +3)

THIRD APPEARANCE:

H. L. B. NO. 16-11: A Local Appropriation Bill for an Act for the Third Senatorial District to reappropriate the \$75,000 from Saipan Local Law 15-12; and for other purposes. (Rep. Joseph C. Reyes)

H. L. B. NO. 16-12: A Local Appropriation Bill for an Act for the Second Senatorial District to appropriate \$18,500.00 from the local license fees collected for pachinko slot machines and poker machines in the Second Senatorial District; and for other purposes. (Rep. Edwin P. Aldan)

H. L. B. NO. 16-13: A Local Appropriation Bill for an Act for the First Senatorial District to appropriate \$21,000 from the local license fees collected pursuant to 10 CMC § 1901 (Rota Local Law 14-7); and for other purposes. (Rep. Victor B. Hocog)

H. L. B. NO. 16-14: A Local Appropriation Bill for an Act for the Third Senatorial District to reappropriate \$242,056.00 from the FY 2007 lapsed funds collected pursuant to Saipan Local Law 11-2 as amended for various roads paving in Precinct 1 and for other purposes. (Rep. David M. Apatang)

H. L. B. NO. 16-15: A Local Appropriation Bill for an Act for the Third Senatorial District to reappropriate \$344,305.00 from Saipan Local Law 16-2 Section 2 d)(1) to Alu Drive for the Construction of the sewer collection line to the main sewer gravity line of CUC and for road improvement on Alu Drive in San Antonio area; and for other purposes. (Rep. David M. Apatang)